



An  
Bord  
Pleanála

**Board Direction**  
**BD-007822-21**  
**ABP-309054-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/04/2021.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the zoning of the site of the proposed development, the pattern of development in the vicinity, the design, scale and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and would be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 30<sup>th</sup> October 2020 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the

planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of construction of the houses, details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

3. The landscaping scheme shown on drawing no 281-19-111, as submitted to the planning authority on 30<sup>th</sup> October 2020 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours

of working, noise management measures and offsite disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. a) The treatment plants and polishing filters shall be maintained in accordance with the details submitted and in accordance with the requirements of the “Wastewater Treatment Manual; Treatment Systems for Single Houses “ EPA 2000.
- b) A maintenance contract for the treatment systems shall be entered into and paid in advance for a minimum period of five years from first occupancy of the dwellinghouses and thereafter shall be kept in place at all times. Signed and dated copies of the contracts shall be submitted to and agreed in writing with the planning authority within four weeks of the occupancy
- c) Surface water soakways shall be located such that the drainage from the dwellings and paved areas of the site shall be diverted away from the location of the polishing filter.
- d) Within 3 months of the first occupation of the dwellings, the developer shall submit a report from a suitably qualified person with professional indemnity insurance, certifying that the proprietary effluent treatment systems have been installed and commissioned in accordance with the approved details and is working in a satisfactory manner.

**Reason: In the interest of public health**

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in

default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Board Member**

**Date:** 06/04/2021

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Michelle Fagan