

An
Bord
Pleanála

Board Direction
BD-009066-21
ABP-309706-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/09/2021.

The Board decided by a majority of 2:1 to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In deciding not to accept the Inspector's recommendation to refuse permission, the Board noted and shared the view expressed by the Inspector, that the impact of the house could be reduced somewhat by the implementation of comprehensive landscaping. In this regard the Board determined that the addition of an planning condition to a decision to grant retention permission, requiring for such a comprehensive landscaping plan, would be an acceptable and implementable mechanism for reducing the visual impact of the house and that in such a context, the development for which retention permission was sought 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 8th day of January 2021 and the 20th day of January 2021, 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. (a) A scheme indicating boundary treatments shall be submitted to the planning authority within six months of the date of this Order, and shall be agreed in writing with the planning authority. This boundary treatment scheme shall provide a screen along the west, north and east boundaries consistently predominantly of trees, shrubs and hedging of indigenous species. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the agreement of the planting scheme

(b) Any plants which die, are removed or become seriously damaged or diseased, within a period of five 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 order to screen the development, in the interest of visual amenity.

3. The garage for which retention permission is sought shall not be used for human habitation or the keeping of pigs, poultry, pigeons, ponies or horses, or for any purpose other than for a purpose incidental to the enjoyment of the main house.

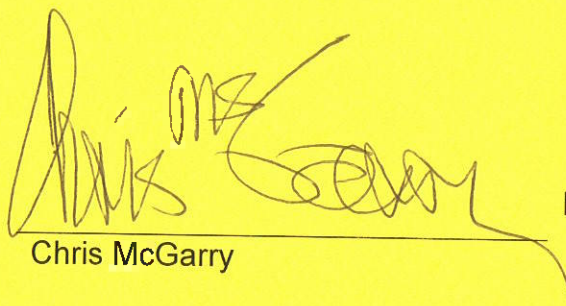
Reason: In the interest of residential amenity.

4. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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



Chris McGarry

Date: 10/09/2021

