

An
Bord
Pleanála

Board Direction
BD-009171-21
ABP-309904-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/09/2021.

The Board decided by a majority of 2:1 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 specific location of the holiday units within a wider established development, and the precedent established under permission Reg. Ref: PD09/623, for change of use from holiday unit use to domestic dwelling use within this wider established development, it is considered that, subject to compliance with the conditions set out below, the proposed change of use would not seriously injure the amenities of the area, would be acceptable in terms of pedestrian and traffic safety and would not be prejudicial to public health. The proposed development would, therefore, 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, and the further plans and particulars received by An Bord Pleanála on the 8th day of April 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 the 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. The developer shall enter into an ongoing management, maintenance and access agreement with the service provider of the existing effluent treatment system serving the development. Prior to commencement of development, a copy of this agreement shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

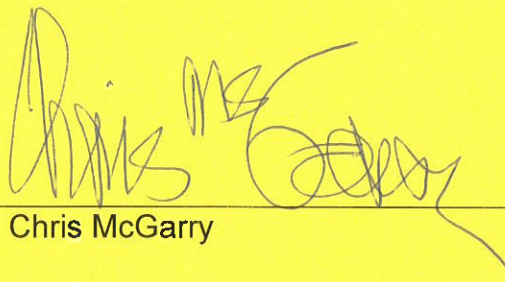
3. Prior to the commencement of development, the developer shall obtain a discharge licence for the existing effluent treatment system serving the development and submit a copy of same to the planning authority.

Reason: In the interest of public health.

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: 30/09/2021

