

An
Bord
Pleanála

Board Direction
BD-011849-23
ABP-312887-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/02/2023.

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 nature and scale of the proposed development and to the fact it is for development that is ancillary to the primary use of the main dwelling on site as a residential care facility and subject to the following conditions, the proposed development would be acceptable in the context of land use policy, would be acceptable in terms of its overall physical scale and be acceptable in terms of the visual amenities of the area and the amenities of adjoining proprietries. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be in accordance with the plans and particulars lodged with the application on, 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. The proposed development shall only be used for accommodation/activity ancillary to the residential care use of the main dwelling on site and shall not be sold, leased or rented independently of the main dwelling within whose curtilage it is located.

Reason: In the interest of orderly development.

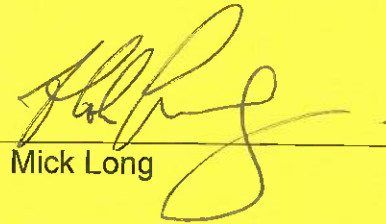
3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

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



Mick Long

Date: 06/03/2023

