



An
Bord
Pleanála

Board Direction
BD-013722-23
ABP-313874-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/09/2023.

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

I recommend that retention permission be granted for the reasons and considerations set out below.

Having regard to the nature, size and scale of the outbuilding to be retained, its setting within a rural area and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the outbuilding would not seriously injure the residential or visual amenities of the area, or of property in the vicinity, would not be prejudicial to public health, and would therefore be in accordance with the proper planning and sustainable development of the area.

1.0 Conditions

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| 1. | The development to be retained shall comply with the plans and particulars lodged with the application submitted, 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 and the development shall be completed in |
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	<p>accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The outbuilding to be retained shall be used as a private domestic garage solely for purposes incidental to the enjoyment of the dwelling on the site, and shall not be used for commercial, trade or industrial purposes or for human habitation.</p> <p>Reason: In the interest of residential amenity.</p>
3.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of SuDS measures shall be submitted to the planning authority for written agreement within 3 months of the final grant of retention permission.</p> <p>Reason: In the interest of public health.</p>
4.	<p>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.</p> <p>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.</p>

Board Member



Liam Bergin

Date: 15/09/2023