



An
Bord
Pleanála

Board Direction
BD-014109-23
ABP-314026-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/10/2023.

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.

Having regard to the provisions of Policy RH-P-7 of the Donegal County Development Plan 2018-2024, together with the planning history of the site and the character and pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions below, the proposed development is in keeping with the character of the area and would not seriously injure the amenities of the area or the amenities of properties in the vicinity. The proposed development would, therefore, be in accordance with the provisions of the development plan and the proper planning and sustainable development of the area.

1.0 Conditions

1.	The development shall be retained out and completed in accordance with the plans and particulars lodged with the application, 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
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity</p>
2.	<p>The development hereby approved shall be amended as follows: -</p> <p>(a) The vehicular access to the south of the house shall be closed up within 6 months of the date of this Order.</p> <p>(b) The vehicular access to the north of the house, including visibility splays, shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing within 6 months of the date of this Order.</p> <p>Reason: In the interests of traffic and road safety</p>
3.	<p>Within 6 months of the date of this Order the existing septic tank on the site shall be decommissioned and removed from the site under the supervision of a competent professional.</p> <p>Reason: In the interest of public health.</p>
4.	<p>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, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>
5.	<p>The applicant shall submit landscaping proposals for the agreement of the planning authority, within 6 months of the date of this Order. The agreed scheme shall be implemented in full within 12 months of the date of such agreement.</p> <p>Reason: In the interests of visual amenity.</p>
6.	<p>The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009.</p>

	Reason: In the interest of public health.
7.	<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, 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.</p> <p>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.</p>

Board Member


Liam Bergin

Date: 12/10/2023

