



An
Bord
Pleanála

Board Direction
BD-014921-23
ABP-315346-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/12/2023.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions:

Having regard to the planning history of the site, it is considered that, subject to conditions, the proposed upgrade of the effluent treatment system would ensure an improvement in the handling of waste water on the site over that which occurs at present. Such improvement would accord with the proper planning and sustainable development of the area.

Conditions:

1.	The proposed upgrade of the effluent treatment system 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 1 st day of November 2022, 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 the upgrade and the upgrade shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
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2.	<p>(a) The proposed upgrade of the effluent treatment system shall be amended as follows: The new effluent treatment system shall serve the existing cottage.</p> <p>(b) Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>(a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 1st day of November, 2022, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.</p> <p>(b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.</p> <p>(c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the date that the treatment plant is first commissioned and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.</p> <p>(d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.</p> <p>(e) Within three months of the date that the treatment plant is first commissioned, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that</p>

	<p>the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Within 4 weeks of the date that the new treatment plant is first commissioned, the existing septic tank shall be decommissioned.</p> <p>Reason: In the interest of public health.</p>

And

(2) refuse permission for the following Reasons and Considerations:

Having regard to the Mayo County Development Plan 2022 – 2028, especially the County Landscape Appraisal, Built Environment Objective BEO 15, and Development Management Sections 2.7 and 2.8, and the unsubstantiated need for the proposed agricultural shed on the site, it is considered that neither the proposed extension to the existing cottage nor the proposed agricultural shed within the curtilage of the cottage would be either subordinate to this cottage or complementary to its traditional character. Instead, the proposed extension would, due to its size and design, compete with this character, and the proposed agricultural shed would, due to its size, siting, and design, detract from its setting and obscure views of the cottage from the adjacent local road. Together, they would constitute oversized and discordant development, which would stand out within the landscape, and which would be seriously injurious to visual amenity. Consequently, Objective BEO 15 and Sections 2.7 and 2.8 of the County Development Plan would be contravened. The proposed extension and the proposed agricultural building would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member:



 Liam Bergin

Date: 22/12/2023