

An
Bord
Pleanála

Board Direction
BD-015958-24
ABP-315431-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/01/2024 and 27/03/2024. The Board also noted clarification relating to information already on file.

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 provisions of Wicklow County Development Plan 2022-2028, the location of the proposed development within a cluster of rural houses at the periphery of a rural node, the relatively small scale nature of the proposal in the context of the appeal site, the prevailing pattern and vernacular character of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development 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, as amended by the |
|----|--|

	<p>further plans and particulars submitted on the 13th day of October, 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 development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interests of clarity.</p>
2.	<p>Neither dwelling shall be individually sold or otherwise transferred or conveyed, save as part of the overall site unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In order to comply with policy objective CPO 13.17 of the Wicklow County Council Development Plan 2022-2028 (as varied) and in the interest of public health.</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 13th day of October 2022, and in accordance with the requirements of the document entitled “Code of Practice – Domestic Wastewater Treatment Systems (Population Equivalent ≤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 of installation 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 soakaways 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 installation of the system, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that 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>The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>

Board Member



Joe Boland

Date: 27/03/2024