



**An
Bord
Pleanála**

**Board Direction
BD-015242-24
ABP-315543-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/01/2024.

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 rural location of the site in a 'Settled Landscape' as identified in the Clare County Development Plan, and the nature and scale of the proposed development, it is considered that the proposed development would not, subject to conditions, detract from the amenities or the archaeological heritage of the area, and 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.	<p>The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further particulars submitted on 21st of July 2022, 18th August 2022 and 8th 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, and the development shall be retained and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>a) The proposed percolation area 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, 2021.</p> <p>b) Within three months of the installation of the percolation area, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the percolation area is constructed in accordance with the standards set out in the EPA Code of Practice.</p> <p>Reason: In the interest of public health.</p>
3.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.</p> <p>Reason: To ensure adequate servicing of the development, and to prevent pollution.</p>
4.	<p>The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –</p>

	<p>a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation relating to the proposed development,</p> <p>b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and</p> <p>c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers is appropriate to remove.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
5.	<p>The garage to be retained shall be used solely for purposes incidental to the enjoyment of the dwelling house and shall not be used for any commercial purpose or for human habitation.</p> <p>Reason: In the interest of residential amenity and clarity.</p>

Board Member

Patricia Calleary

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Date: 29/01/2024