



An
Bord
Pleanála

**Board Order
PL 27.248441**

Planning and Development Acts 2000 to 2017

Planning Authority: Wicklow County Council

Planning Register Reference Number: 16/1355

Appeal by Kevin Lande care of Caroline Fanning of 49 Foxrock Avenue, Foxrock, Dublin against the decision made on the 13th day of April, 2017 by Wicklow County Council to grant subject to conditions a permission to Tony Cronin care of Deane Turner Associates of Block 6, Suite A, Broomhall Business Park, Rathnew, County Wicklow in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Retention of potable water supply well and associated ancillary works, (2) retention of first floor balcony to rear courtyard area, (3) retention of entrance serving existing car park and associated ancillary works, (4) retention of well building, and (5) retention of treatment plant building serving treatment plant, all at The Tap, Ballard Lower, Kilbride, County Wicklow.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the nature and scale of the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would be acceptable having regard to the design and would not seriously injure the visual amenities of the area or the amenity of adjoining properties. The development for which retention is sought would also be satisfactory in regards to traffic safety and convenience and would not be prejudicial to public health. The retention of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans submitted to the planning authority on the 21st day of March 2017, 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.

Reason: In the interest of clarity.

2. Within three months of the date of this Order, the car park shall be laid out with clear markings indicating individual parking spaces in accordance with plans submitted to the planning authority on the 21st day of March 2017.

Reason: In the interest of traffic safety.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

4. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority 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, 2009. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority with three months of the date of this order.
- (b) Within three months of the date of this order, 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 in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017