

Board Order PL 27.249351

# Planning and Development Acts 2000 to 2017 Planning Authority: Wicklow County Council Planning Register Reference Number: 16/1443

**Appeal** by Paudge Kilbride of Croneyhorn, Carnew, County Wicklow against the decision made on the 7<sup>th</sup> day of September, 2017 by Wicklow County Council to grant subject to conditions a permission to James Cousins care of Kilpark Planning and Design of Kiltilahane, Gorey, County Wexford in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for retention of installation of existing septic tank and permission for installation of new percolation area and all associated site works at Cronyhorn Lower, Carnew, 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 fact that the development to be retained and the proposed development is to serve a long established dwelling with adequate wastewater treatment facilities being a necessity, the details of site suitability assessment and the site specific design proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in the context of public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### Conditions

1. The development to be retained and the proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans received on the 17<sup>th</sup> day of August 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

- 2. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 22<sup>nd</sup> day of December, 2016 and the 17<sup>th</sup> day of August 2017, and in accordance with the requirements of the document "Wastewater Treatment Manual: Treatment Systems for Single Houses", Environmental Protection Agency Code of Practice. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
  - (b) Within three months of the first occupation of the dwelling, 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 2018