

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Mayo County Council

Planning Register Reference Number: P17/441

An Bord Pleanála Reference Number: ABP-300227-17

Appeal by Des Summerville of Kilbride, Claremorris P.O. Clonbur, County Mayo against the decision made on the 31st day of October, 2017 by Mayo County Council to grant subject to conditions a permission to Tom Summerville care of Lally Chartered Engineers of Udaras Business Park, Tourmakeady, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Renovation and extension of the existing detached dwelling house and construction of a domestic garage, septic tank treatment system (to replace existing septic tank) and all associated site works at Kilbride, Finney, Clonbur, County Mayo, as amended by the further public notice received by the planning authority on the 5th day of October, 2017.

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, scale and location of the proposed development, it is considered that the proposed development would not seriously injure the amenities of property in the vicinity, would be consistent with the provisions of the Mayo County Development Plan 2014-2020 and would, therefore, be in accordance with the proper planning and sustainable development of the area, subject to compliance with the conditions set out below.

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 further plans and particulars submitted on the 5th day of September 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 existing front boundary hedge and stone wall shall be retained except to the extent that their removal is necessary to provide for sightlines to the site entrance as indicated on drawing number 17-073/13 submitted to the planning authority on the 9th day of June, 2017, in which instance the said boundary elements shall be set back just behind the line of sight.
 - (b) The roadside verge shall be retained in place, except at the amended vehicular entrance to the public road, and the entrance driveway shall tie in with the public road to the satisfaction of the planning authority.

Reason: In the interest of visual amenity.

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. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

5.
 - (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 9th day of June 2017, except as amended by part (b) of this condition and as necessary to comply 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 prior to commencement of development.
 - (b) Prior to the commencement of development, the developer shall submit revised details and drawings showing the proposed percolation area relocated only insofar as is necessary to achieve the minimum separation distances detailed in table 6.1 of the EPA's 'Code of Practice' document, including in particular the provision of a 10 metres separation distance from any open drain. In this regard, the percolation area appears to be within 10 metres of an open drain to the north.

- (c) Within three months of the first occupation of the renovated and extended 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