



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 17826

Appeal by Mark Travers of Monksland, Carlingford, County Louth against the decision made on the 17th day of May, 2018 by Louth County Council to grant subject to conditions permission to Malachy Conlon care of Van Dijk Architects of Millhouse, Mill Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention erection of three number Meditation Pods and proposed replacement of septic tank and percolation area and associated site works at Parochial House, Monksland, Carlingford, County Louth as amended by the revised public notice received by the planning authority on 2nd day of May, 2018.

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 provisions of the Louth County Development Plan 2015-2021, it is considered that subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 2nd day of May 2018, 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. The three meditation pod structures and associated garden area hereby permitted shall be used for purposes and functions connected with and ancillary to the neighbouring parochial house only, and shall not be used as a commercial premises to which the public would have access, unless otherwise authorised by a prior grant of planning permission.

Reason: To protect the amenities of property in the vicinity and in order to limit the use of the subject development to that applied for.

3. The three meditation pod structures hereby permitted shall not be used for overnight accommodation for any persons, shall not be used for any form of tourist accommodation, and shall not be sold, let or otherwise transferred or conveyed, save as part of the overall dwelling plot.

Reason: In the interest of residential amenity.

4. 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.

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, 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 within three months of the date of this Order.
- (b) Within six months of the date of this Order, the developer shall submit a report to the planning authority 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.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within six months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Paul Hyde

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

Dated this day of 2018.