

An
Bord
Pleanála

Board Order
ABP-313754-22

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 21/1445

Appeal by Cian Clancy care of Downey Chartered Town Planners of 29 Merrion Square, Dublin against the decision made on the 12th day of May, 2022 by Louth County Council to grant subject to conditions a permission to Fearghal Connolly and Lisa Kenna care of Paul Monaghan Chartered Architects Limited of 53 Malone Road, Belfast, County Antrim in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of an existing stable block. Alterations and a two-storey extension to an existing dwelling house. Extension of the existing house to provide living accommodation for a dependent relative. A new wastewater treatment system and associated site development works, all at Proleek Acres, Ravensdale, Dundalk, County Louth.

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.

Reasons and Considerations

Having regard to the provisions of the Louth County Development Plan 2021-2027, the EPA Code of Practice for Domestic Wastewater Treatment Systems (2021), the nature, design, and location of the proposed development, and the type of development in the surrounding vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. 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 and particulars received by the planning authority on the 29th day of April, 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed extension for an independent living unit shall be used solely for that purpose and shall revert to use as part of the main dwelling on the cessation of such use.

Reason: To protect the amenities of property in the vicinity.

3.
 - (a) The treatment plant and polishing filter 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 the 'Environmental Protection Agency Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) (2021)'. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.
 - (b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.
 - (c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first occupancy of the dwellinghouse and, thereafter, shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.
 - (d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.

- (e) 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 and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

4. Surface water drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to commencement of development.



Reason: In the interest of public health.

5. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.



Mick Long

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *8th* day of *September* 2023.