



An
Bord
Pleanála

Board Order
ABP-315895-23

Planning and Development Acts 2000 to 2022

Planning Authority: Leitrim County Council

Planning Register Reference Number: 21/275

Appeal by Colm Spellman of 31 Cluain Si, Cloonsheebane, Carrick-on-Shannon, County Leitrim against the decision made on the 26th day of January, 2023 by Leitrim County Council to grant subject to conditions a permission to Gowna Hospitality Limited, trading as 'Heartlands', care of Hanley Taite Design Partnership of Virginia Shopping Centre, Virginia, County Cavan in accordance with plans and particulars lodged with the said Council:

Proposed Development: Works at an existing guest house, providing additional accommodation for persons with disabilities. The development will consist of a detached two-storey building comprising three number three bedroomed family pods, a detached single storey recreational building with games room, sensory room, administration office and hot tub area and outdoor sensory garden, together with all associated site works, including connections to existing drainage system and watermain at 'Ciuin House', The Paddocks, Lisnabrack, Carrick-on-Shannon, County Leitrim as revised by the further public notices received by the planning authority on the 23rd day of December 2022.

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 prevailing pattern and character of existing development in the vicinity and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would not result in flooding and would not represent a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 received by the planning authority on the 22nd day of November 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall not be occupied until necessary upgrade/remedial works on the foul drainage system have been completed, and the written agreement of Uisce Éireann has been secured.

Reason: In the interest of public health.

3. The use of the family pods shall be restricted to short-term let only, with a maximum stay of three months at any one time.

Reason: In the interest of clarity.

4. Car parking spaces 13 and 14 and the disabled car parking space adjacent to the 'games room/pod 03' shall be omitted.

Reason: In the interest of traffic safety.

5. Prior to commencement of development, the applicant shall submit to the planning authority for its written agreement, details providing for the incorporation of Sustainable Urban Drainage Systems (SuDs) into the proposed development, including calculations, as necessary. Surface water from the site shall not discharge to the open drain east of the site. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. No additional signage shall be placed/erected on the main guesthouse building, or within the site without a prior grant of planning permission.

Reason: In the interest of visual amenity.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

8. Construction shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

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9. 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 prior to commencement of development 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.




Stephen Brophy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this 12th day of April 2024