



An
Bord
Pleanála

Board Order ABP-320064-24

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 23/60513

Appeal by John Dillon of Clonreddan, Cooraclare, Kilrush, County Clare against the decision made on the 5th day of June, 2024 by Clare County Council to grant subject to conditions a permission to Donal Dillon care of PND Building Consultancy Limited of Kilrush House, Frances Street, Kilrush, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of minor alterations to the existing dwelling house and permission to install a new wastewater treatment unit and percolation area, and revised site boundaries along with all associated works, all at Clonreddan, Cooraclare, County Clare.

Decision

GRANT permission for the above 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 Clare County Development Plan 2023-2029, the established residential use of the site, the pattern of development in the vicinity, and the nature and scale of the proposed development and the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the amenities of the area or of property in the vicinity, would be an acceptable form of development at this location, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 17th day of May 2024, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) A scheme indicating boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This boundary treatment scheme shall provide a screen along the revised boundaries, consisting predominantly of trees, shrubs and hedging of indigenous species, and shall be protected from grazing animals by stock-proof fencing. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the commencement of construction works.
- (b) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development, in the interest of visual amenity.

3. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with the application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.
- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

- (c) Within three months of the occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.



Declan Moore

Member of An Bord Pleanála

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

Dated this 18th day of MARCH 2025.