

An
Coimisiún
Pleanála

Commission Order
ABP-322550-25

Planning and Development Act 2000, as amended

Planning Authority: Cavan County Council

Planning Register Reference Number: 2460195

Appeal by Tomas Wilson care of Liam Madden of Vitruvius Hebernicus of Convent Road, Longford, County Longford against the decision made on the 30th day of April 2025 by Cavan County Council to grant, subject to conditions, a permission to Hanley Engineering care of Niall Smith Architects of Hall Street, Kingscourt, County Cavan in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of signage, external lighting, yard area, carparking, retaining walls adjacent to public roadway and all associated site works at Corrycholman, Kingscourt, County Cavan. The proposed development was revised by further public notices received by the planning authority on the 9th day of October 2024 consisting of upgrade of existing entrance onto public road, existing wastewater treatment system and percolation area, existing surface water drainage system at road and replacement / upgrade of existing external lighting.

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 Cavan County Development Plan, 2022-2028, the planning history and established use on the site, to the rural location of the site, the scale and nature of development, it is considered that subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure residential or visual amenities of the area, and would be acceptable in terms of traffic safety and convenience and would not be prejudicial to public health. The subject 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 23rd day of September 2024 and on the 7th day of April 2025, 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. Within three months of the final grant of planning permission, the developer shall submit revised drawings for written agreement of the planning authority showing the following amendment.
 - (a) The total number of car parking spaces on the site shall not exceed 28 spaces.

Parking for the development shall be provided in accordance with a detailed parking layout which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

Reason: In the interest of traffic safety and ensuring an adequate provision of car parking is provided.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: To prevent flooding and in the interests of sustainable drainage.

4. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

5. (a) The upgraded wastewater treatment system shall be installed no later than three months from the date of this order in accordance with the recommendations included within the site characterisation report submitted with this application on the 23rd day of September 2024 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021 and Waste Water Treatment Manual Treatment Systems for Small Communities, Business, Leisure Centres and Hotels Environmental Protection Agency, 1999. The developer shall submit evidence to the planning authority that the system has been installed within the stated timeframe.
- (b) Treated effluent from the 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 Wastewater Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021 and Waste Water Treatment Manual Treatment Systems for Small Communities, Business, Leisure Centres and Hotels Environmental Protection Agency, 1999.
- (c) Within three months of the operation of the wastewater treatment system, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency documents referred to above.

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

6. The design details of all external lighting in line with drawing (External Lighting Plan PP (00)005) and specification report submitted at Clarification for Further Information on 7th April 2025 shall be agreed with the planning authority within three months of the date of this Order. The existing 11 number external lights fixed to the northeast, southeast and the southwest elevations shall be removed to the satisfaction of the of the planning authority within three months of the date of this Order.

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

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority within three months of this Order. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing:

- (i) The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder.
- (ii) Details of roadside planting to the R165 and the L3532 which shall not include prunus species.

(b) A timescale for implementation.

All planting shall be adequately protected from damage until established. 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.

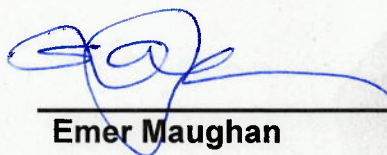
Reason: In the interest of visual amenity.

8. Within three months of the date of this Order the existing vehicle restraint system on this site shall be replaced by a new vehicle restraint system certified by an independent chartered structural engineer or equivalent to include permanent work certificates and ancillary certification. The certification documents shall be submitted to the planning authority on completion of the said works.

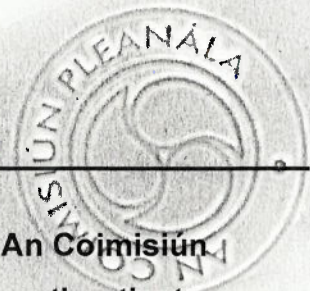
Reason: In the interest of public safety.

9. All works relating to the revised entrance position, and frontage construction including gate piers and surface water drainage, shall be completed within 12 months of the date of this Order. Any utility poles in the visibility splay shall be repositioned in the setback position behind the splay.

Reason: In the interests of traffic safety and amenity.



Emer Maughan
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 18th day of September 2025.