

An
Coimisiún
Pleanála

Commission Order
PL- 501111-LD-26

Planning and Development Act 2000, as amended

Planning Authority: Longford County Council

Planning Register Reference Number: 2660029

Appeal by William Golder against the decision made on the 13th day of March, 2026 by Longford County Council to grant, subject to conditions, a permission to Barry and Noelle Cox in accordance with plans and particulars lodged with the said Council.

Proposed Development: To construct a dormer bungalow type dwelling house, detached domestic garage, new entrance, bored well, boundary walls, piers and fencing, proprietary wastewater treatment unit and percolation area and all ancillary site works at Aghakine, Aughnacliffe, County Longford.

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 condition(s) set out below.

Reasons and Considerations

Having regard to the provisions of the Longford County Development Plan 2021-2027, the pattern and character of development in the area, and the design, scale and servicing of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character of the landscape, the visual amenities of the area, or the residential amenities of properties in the vicinity of the site, including by reason of overlooking or overshadowing. Furthermore, the proposed development would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health or the protection of water quality, and would not detract from the archaeological heritage of the site or its surroundings. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In coming to its decision, the Commission noted the location of the site within a defined 'broadzone' in accordance with Appendix 7 'Natural Heritage and Environment' of the development plan, and that Policy Objective CPO 12.42 (1 of 16 listed objectives) of the development plan restricts development in the 'broadzones' to extensions of existing dwellings. Accordingly, the Commission concluded that the proposed development would materially contravene Policy Objective CPO 12.42 if read on its own. However, the Commission noted the overarching purpose of the identified broadzone areas, the extent of the land identified as being within the broadzones (including for example the identified town of Aughnacliffe) and related development plan commentary including that the Council aims to protect against residential development which are urban-generated or speculative in these designated broadzone areas. In

addition, the Commission noted the specific characteristics of the application site. In this context, the Commission considered this Policy Objective CPO 12.42 to be excessively restrictive with regard to the substance of the overall broadzone policy and by reference to the facts of the subject application and did not consider that the proposed development would detract from the amenity value or recreational potential associated with the 'broadzone'. Therefore, the Commission considered that a grant of permission would be appropriate in this case and would be in full accordance with the proper planning and sustainable development of the area, notwithstanding that a material contravention of Policy Objective CPO 12.42 might be judged to arise. This conclusion is justified in accordance with section 37(2)(a) of the Planning and Development Act, 2000 (as amended). The proposed development would otherwise be consistent with the provisions of the Longford County Development Plan 2021-2027.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 garage shall not be used for human habitation or any commercial purpose other than a purpose incidental to the enjoyment of the dwelling house.

Reason: In the interest of orderly development and the amenities of the area.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas, or otherwise shall discharge onto the public road or adjoining properties.

(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

5. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority the final location of the proposed well on site, with a location to the south of the proposed house, or as otherwise agreed in writing with the planning authority.

Reason: In the interest of public health.

6. (a) The proposed wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 3rd day of February 2026 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 wastewater treatment system shall be discharged to a 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 first 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 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.

7. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development,

including hours of working, traffic, noise and dust management measures, and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

8. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. Details shall include proposals for replacement planting in lieu of vegetation to be removed as a result of the creation of a newly setback roadside boundary.

Reason: In the interest of visual amenity.

9. The vehicular access, including visibility splays and roadside drainage, shall comply fully with the requirements of the planning authority for such works and services. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

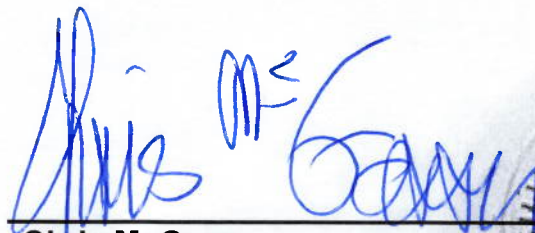
Reason: In the interest of traffic safety and to prevent flooding and pollution.

10. 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



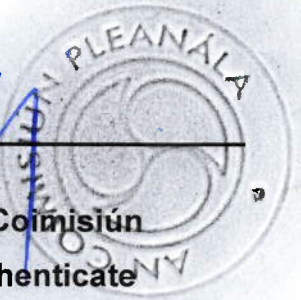
payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún 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.

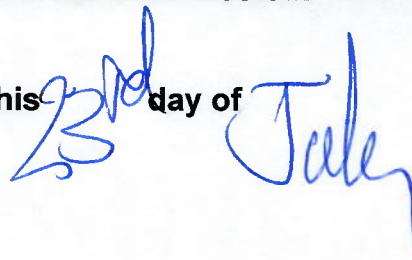


Chris McGarry

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



Dated this



day of

2026