



Development

To retain development and enabling works to entrance roadway and hard standing requiring completion and steel storage shed as an amendment to previously granted P.A. Reg. Ref. 18/313 and permission to construct scout den and community facility together with new entrance and gates, car park, septic tank/reed bed and all ancillary site works and associated scouting activities, as an amendment to previously granted P.A. Reg. Ref. 18/313

Location

Ballyscanlan Lough, Ballyscanlan, Fenor, Co Waterford

Planning Authority

Waterford City and County Council

Planning Authority Reg. Ref.

20/199

Applicant(s)

35th Waterford Copper Coast Scout Group

Type of Application

Permission for Retention and Permission

Planning Authority Decision

Grant Permission for Retention and Permission

Type of Appeal	Third Party v Grant of Permission for Retention and Permission
Appellant(s)	Michael Power
Observer(s)	1. Catherine Drea 2. Alan O'Neill
Date of Site Inspection	03.02.2021
Inspector	Anthony Kelly

1.0 Site Location and Description

- 1.1. The site is located between a local road (L4053) and Ballyscanlan Lough approx. 2.8km west of Tramore in south east Co. Waterford.
- 1.2. A wide vehicular entrance with a set-back gate and a narrower entrance to the site have been fenced off. Aside from the existing entrances there is a rural-type hedgerow along the roadside boundary. A gravel surface road runs in a north easterly direction parallel to the public road inside the site boundary before turning onto a constructed plateau overlooking the lake. The central area of the site is covered in vegetation and there are some isolated trees. Ground levels drop significantly from the public road (approx. 87.00) to the lake (approx. 62.00). There is a track leading from the public road to the lake which generally aligns with the south western boundary of the site though it appears this track is largely excluded from within the red line site boundary. This track continues onto the property along the lake to the west. The area at the lake edge is flat and grassed and there is a green colour steel shed in the north west corner. There are extensive views of the lake and countryside from the public road.
- 1.3. The site has an area of 0.7925 hectares.

2.0 Proposed Development

- 2.1. Permission for retention and permission is sought for:
 - Retention of development and enabling works to the entrance roadway, hardstanding requiring completion and steel storage shed as an amendment to P.A. Reg. Ref. 18/313,
 - Permission for a scout den and community facility, new entrance and gates, car park, septic tank/reed bed and ancillary works and associated scouting activities as an amendment to P.A. Reg. Ref. 18/313.
- 2.2. The proposed building has a floor area of 251.3sqm and a maximum height of 7.225 metres. The proposed building is externally finished in timber cladding with a metal monopitch roof.
- 2.3. Further information was submitted in relation to justification of the proposed roof type and detail of an edge fall protection guardrail on the entrance roadway.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Waterford City and County Council granted permission for retention and permission subject to 10 no. conditions including compliance with relevant conditions of P.A. Reg. Ref. 18/313, wastewater treatment, detail of the vehicular entrance area, finished floor level, external finishes, landscaping and waste disposal.

3.2. Planning Authority Reports

- 3.2.1. Two Planning Reports form the basis of the Council's decision. The second report concludes that, having regard to the planning history, the nature of the development, the zoning provisions and the type of development in the vicinity of the site, subject to conditions, the proposed development would be in accordance with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

Roads Department – The Department expects the developer to be responsible for the provision of appropriate edge fall protection.

Water Services – No objection subject to conditions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

Six submissions were received. The content of the submissions can be summarised as follows:

- 3.4.1. Alan O'Neill, Ballyscanlan, Fenor recommended a number of conditions to be included should permission be granted, including retention of the permitted grass roof, taking into account the results of an EIS that should be carried out, annual monitoring of flora and fauna, annual water quality results for the lake, an agreement for a no-shooting zone with Ballyscanlan Gun Club, no motorised craft to be permitted on the lake, designated fire pits and child protection.

- 3.4.2. Michael Power, 25 Pine Grove, Tramore objects to the development on the grounds of the closing of the walkway, impact on the ecology of the lake and water quality.
- 3.4.3. The Hogan Family, Kilcarton, Ballyscanlan, the Farrell/Power Family, Carrickbrahan, Fenor and the Richardson Family, Carrickbrahan, Fenor fully support the proposed development.
- 3.4.4. A submission was received from Eoin McMahon, Deputy Group Leader on behalf of the applicant. The submission refers to and addresses the recommended conditions in the submission from Alan O'Neill and the concerns expressed by Michael Power.

4.0 Planning History

There has been one previous valid planning application on site:

P.A. Reg. Ref. 18/313 – In 2018, permission was granted to construct a scout den and community facility, new entrance and car park, septic tank/reed bed and ancillary site works and associated scouting activities.

5.0 Policy Context

5.1. Waterford County Development Plan 2011-2017 (as extended)

- 5.1.1. Following the amalgamation of Waterford County Council and Waterford City Council on 01.06.2014, the lifetimes of the existing development plans within the amalgamated council area were extended. The 2011-2017 County Development Plan remains in effect until a new City and County Development Plan is prepared following the making of the Regional Spatial & Economic Strategy.
- 5.1.2. Section 10.57 of the Plan states that all lands outside of the designated settlements and land zoning maps is regarded as 'Agriculture A'. The land use zoning objective is 'To provide for the development of agriculture and to protect and improve rural amenity'. In the Land Use Matrix (Table 10.11), 'community facility' and 'cultural/heritage building' are open for consideration.
- 5.1.3. The site is in a 'normal area' as set out in the Scenic Landscape Evaluation map. A 'normal' sensitivity zoning is described as 'a common character type with a potential

to absorb a wide range of new developments'. Notwithstanding, the shoreline of all lakes are designated as 'visually vulnerable'. The area north of the lake is 'sensitive'. Ballyscanlan Lake is designated as a 'Protected Wetland' (Site No. 14).

5.2. Natural Heritage Designations

- 5.2.1. The closest Natura 2000 site is Mid-Waterford Coast SPA approx. 4km to the south. The closest heritage area is Carrickavrantry Reservoir pNHA approx. 700 metres to the south east.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted by Michael Power, 25 Pine Grove, Tramore. The main points made can be summarised as follows:

- Ballyscanlan Lake and woods should be left untouched.
- The lake used to fill Carrigavantry Reservoir which served Tramore. This was closed and water is now pumped from a different reservoir. The appellant is concerned the original pump house will be knocked down. Why should this future water supply be cut off because of the proposed development?
- Wastewater and dirty surface water will seep to the lake notwithstanding the reed beds. The future water source will be cut off.
- Once developed, the eco-friendly site will be no more. The natural wild site should be preserved.
- The lake and its reeds help sustain swans, fish, water hens etc. The natural inhabitants will have to move out if the development takes place. The lake and surrounds will be destroyed.
- A right of way along the lake has been closed down to accommodate the proposed development.
- A village close to the lake could easily be the site for the proposed development. It could be used as a base for the lake as well as beaches and the Comeragh

Mountains which would help meet the Scouts' needs without destroying the lake and surrounds.

- The roads will have more traffic and will eventually have to be widened.
- General concern is expressed about the loss and destruction of the countryside.

6.2. Applicant Response

The main points made can be summarised as follows:

- There are a number of private houses already around the lake and farm activity on the lake shore.
- Ballyscanlan Lake was decommissioned as a reservoir and there are no plans to reinstate it as such. An email from a Senior Engineer in the Water Services Section of the City and County Council confirms this. The pump house referred to is not on the development site.
- There is no change to the specification of the wastewater treatment previously granted. It caters for all wastewater and is in accordance with EPA guidelines. No objection was raised by the Water Services Section of the Council.
- The Council's Heritage Officer stated the habitat type on the development site consists of dense bracken of low biodiversity value. Habitats of interest are reed swamp, wet grassland, scrub and eutrophic lake which will not be affected by the development footprint. The applicant is aware of their responsibility to preserve the area. The permitted reinforced concrete wall has been removed and the building has been reduced in complexity to blend in more with the area. Native hedging and saplings have already been planted.
- The Council's Heritage Officer stated the site involves less than 4% of the lake perimeter and will not pose significant direct effects on bird usage of the wider lake. Anti-social behaviour on other land surrounding the lake has and continues to have a much bigger impact on the natural beauty of the area.
- The land purchased is private land. The land bordering it is also private land. A public right-of-way is not listed in the 2011-2017 County Development Plan. The applicant opened their entrance as permitted under P.A. Reg. Ref. 18/313. Gates, fencing and bollards were erected to ensure the safety of the site. It

was not an existing entrance. Coillte allows public access onto their land close to the junction of the two roads on the Fenor side of Ballyscanlan.

- A scout den was included in the community project refused permission by An Bord Pleanála (P.A. Reg. Ref. 12/76 / ABP Reg. Ref. PL 24.241740). The Scout group has been a long time without a permanent home, and this is a perfect site for long-term sustainability for the group. A letter of support accompanies the applicant's response from Fenor Development.
- The development facilitates two cars on the driveway and a turning area. The driveway is of significant length so there is not a build-up of cars on the road during collection and drop-off. The applicant will operate a one-way system for meeting nights where entry is on the low public road and exit is by the high public road. All meeting times would be low usage times and would not impact local traffic. The application was reviewed by the Roads Section of the Council.

6.3. Planning Authority Response

None.

6.4. Observations

Observations have been received from Catherine Drea, Ballyscanlan Lake, Fenor and Alan O'Neill, Carrickavarahane, Ballyscanlan, Fenor. Both observations support the grounds of appeal. The relevant planning issues raised are largely covered by the grounds of appeal with the exception of the following which are taken from both observations:

- There would have been no objection to a few small buildings or huts with decks and paths to enjoy the landscape and lake activities for local children. However, the scale, environmental impact, land clearance, road widening is shocking. It is excessive in size needed for the Scout group.
- The low-impact grass roof has been modified without consultation with the local community. Concern is expressed about the Council's acceptance of the roof alteration.
- There is another Scouting group a few hundred metres away and residents are fearful about the amount of traffic two dens will bring.

- Because of the size, height, scale, bulk, mass, construction, roof finish and access it is going to leave a huge 'trace' despite the development presenting itself as eco-friendly and supported by Leave No Trace.
- Rather than encouraging development on the local road the Council should be closing the road except to pedestrians, horses and cyclists.
- The Council has a duty of care to the health and safety of citizens. Granting a permission that encourage large numbers of people to congregate in Covid times is no longer a runner. The structure will be an unusable white elephant and will be a debt burden or could be an unfinished building.
- Increase in noise and light pollution and reduced air quality.
- The development should not be on the lough side of the road.
- The observation from Alan O'Neill sets out a number of detailed areas of the Waterford County Development Plan 2011-2017 and has outlined where the development is not consistent with the Plan. Areas include the vision statement, the conservation and protection of the environment, preservation of the character of the landscape, water quality, increasing travel demand, natural heritage, wetlands, scenic landscape evaluation and new development standards. The Strategic Environmental Assessment is also referenced in the observation from Alan O'Neill.
- Queries whether an environmental impact assessment has been done.
- The lough should be a Natura 2000 site. An Appropriate Assessment should assess, at least, and stop if possible, the development.

6.5. Further Responses

Further responses were invited on foot of the observation from Alan O'Neill, in the interest of justice. Three further responses were received. Some issues raised are generally similar to those referenced in the grounds of appeal, applicant's response and observations. New main points made can be summarised as follows:

Applicant

- Alan O'Neill did not lodge an observation against the original planning application and his submission to the Council reads that he is in support of the development but would like to see some additional conditions.

- Any human development leaves a trace. The aim of the proposed development is to limit the overall impact. Once the planted native forest bordering the site matures it will blend in completely. There are a number of private developments and a piggery in the area. The building is not on a raised platform, it is on a cut out section of the steeply sloped site, and the material was used to create the entrance road reducing the need for imported material. The initial stages of any project cause disruption.
- Concern is expressed about terminology used in the observation. The group provides an invaluable service for the Coppercoast area and will continue to. The site would never be a possibility for a jamboree. It would be short-sighted to abandon future plans based on Covid.
- Mr. O'Neill has no knowledge of the costs or the applicant's ability to deliver the project.
- The ease of access to the site has attracted groups to the area for years. The apparent moving of a pair of swans cannot be attributed to the applicant. Anti-social behaviour has led to Coillte limiting access by closing off parking.
- The 7.2 metres height of the building is below the level of the public road and the roof was altered by the applicant on request to follow the contour of the land. The applicant is aware of the need to only have what is required to encourage outdoor programmes. The building has the minimum requirement for safe storage of equipment, toilet facilities and a common room etc. Because of the weather and nature and amount of equipment used smaller areas could not be used as the observation believes.
- The entrance created is as permitted. There is no need or desire to remove any of the mature trees that line the edge of the site or any mature hedgerow.
- The building is not visible from the road from the Fenor side. Visibility from the city side has been addressed by a landscaping plan submitted with the permitted application. The building is visible from one private house and that family has submitted a letter of support. The applicant has strict lights out criteria when camping and staying overnight with groups. It is unlikely that the observer would be able to hear any activities being carried out on site.

Michael Power

The detailed submission is similar in content and nature to the observation received from Alan O'Neill and refers to that observation throughout. Some issues are expanded upon. Some additional comments can be summarised as follows:

- The further response expands on the reference to 'insignificance' in relation to the green roof and the observer's contact with the planning authority.
- Additional comment on the wetlands nature of the area.
- The steel shed should be removed.
- The Ballyscanlan trail to Tramore must be facilitated and developed.
- Scouts are already well-served at the Mount Melleray National Scout and Activity Centre 7km outside Cappoquinn.
- A number of references are made to the Strategic Environmental Assessment of the Development Plan.
- The development would be contrary to The Climate Action (Amendment) Bill 2020.
- Concern is expressed about the wastewater treatment system.
- The development would attract too many people to the area.
- The further response comments on the letters of support submitted with the application.
- Sections of Declan McGrath's 'Walks in Waterford' are attached to the further response.

Catherine Drea

This further response contains many similar issues to those contained in the observation. The content of the observation is endorsed. It is a detailed document which refers to, inter alia, the wetlands status of the area, water quality, vulnerability of the area, adequacy of car parking, the general scale and impact of the development, walking routes, biodiversity and the nature of the applicant.

7.0 Assessment

The grounds of appeal, the observations and the third party further responses all relate to the development of a scout den/community facility at this location. However, the principle of the development was established on site under P.A. Reg. Ref. 18/313, the

parent permission. This planning application only relates to the retention of certain amendments to that development that have already been carried out, and to design alterations to the permitted building. This assessment, therefore, only considers the amendments proposed to the permitted development, and not the basic principle of the facility at this location and any wider ecological considerations as the development has already been permitted by Waterford City & County Council.

The main issues are those raised in the grounds of appeal and the Council's Planning Reports, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

7.1. Parent Permission and Proposed Amendments

- 7.1.1. The current planning application seeks permission for retention and permission for amendments to the parent permission. Permission was granted for a scout den and community facility, new entrance and car park, septic tank/reed bed and ancillary site works and associated scouting activities under P.A. Reg. Ref. 18/313. The site had an area of 0.7658 hectares. The permitted structure had a floor area of 307.5sqm.
- 7.1.2. The development subject of the current planning application shows a number of changes from the permitted development in terms of site layout and the design of the scout den and community facility.

Site Layout

- 7.1.3. The primary site layout alterations are in the location of the access road, structure footprint, car parking and vehicular circulation and the track through the site. The permitted internal road was direct from the vehicular entrance to the proposed structure whereas the constructed internal access road has a longer and less direct route to the building. A 3 metres high retaining wall along the public road side of the car parking area is no longer required because of the amendments subject to retention. The number of car parking spaces has been reduced from 18 no. (including two disabled spaces) to 10 no. (including two disabled spaces). The track through the site was excluded in its entirety from the site boundary in the permitted development site layout, resulting in two areas either side of it. In the current application the track has not been indicated in the location it was shown in the parent permission. A new gate adjacent to the vehicular entrance has been provided with a right of way which joins up with the existing track. It appears this alternative access has been provided

to avoid users of the original track having to cross the internal access road. A steel shed has been placed in the north west corner of the site close to the lake.

- 7.1.4. The constructed road winds down to the building as opposed to the permitted road which went directly from the access to the building. I do not consider the altered road will have a significant visual impact. It is below the level of the public road and will be largely hidden from the lake and elsewhere by the building. The vehicular entrance area has already been permitted. The edge fall protection system as submitted by way of further information is acceptable in terms of traffic safety. The 3 metres high retaining wall is removed which is beneficial in terms of visual amenity. There is ample circulation space provided for vehicle manoeuvres. The footprint, car parking and circulation area has been constructed and is a large flat area of hardstanding. However, I do not consider this has any undue additional visual impact than would have occurred had the original permission been developed.
- 7.1.5. The alteration in the building footprint on site and distances to site boundaries are not significant in the context of the permitted development.
- 7.1.6. Car parking provision has been substantially reduced. Table 10.9 (Car Parking Requirements) of the County Development Plan 2011-2017 does not include a scout den or community facility. The Plan states that 'other' uses are 'to be individually assessed'. The Roads Department sought further information on this application for edge fall protection, but car parking was not considered to be an issue. Condition 4 of the parent permission required submission of a revised site layout plan prior to commencement of development with regard to sightlines. Condition 4 of the Council's decision for the current application is detailed in terms of conditions for the entrance area. I consider a compliance condition for the vehicular entrance area is appropriate.
- 7.1.7. The use of the steel shed located close to the lake edge has not been clarified. Notwithstanding, it is limited in size (18sqm x 2.4 metres high) and is constructed with green cladding. I do not consider it to have any undue visual impact. Its use should be restricted to facilitating permitted activity on site.
- 7.1.8. It appears that the track through the site has been closed off/partially removed. On the site layout of the parent permission this track appeared to traverse the internal access road and continue along the south western boundary of the site to the adjacent property, which is also private land. The applicant states that the new entrance on site, permitted under P.A Reg. Ref. 18/313, was fenced off for site safety purposes. It is stated that access to the lake has not been closed off. There is public access through

Coillte land, but not private land. The applicant states that no public right-of-way is listed on the County Development Plan 2011-2017. However, the proposed site layout plan does show a revised location for a new gated public right of way, along the south west corner of the site, which appears to join the existing track. I consider that any issue with a right-of-way that may have existed or may be altered as a result of this development is a civil matter to be resolved between the parties having regard to the provisions of section 34(13) of the Planning & Development Act, 2000 (as amended).

Scout Den/Community Facility Building

- 7.1.9. The proposed structure has similar internal room uses to those permitted. The footprint is slightly altered to be squarer and a mezzanine area is omitted. Despite the omission of the mezzanine, the height has increased from 6.85 metres to 7.225 metres. I do not consider this to be a significant increase in height and do not consider it would have any significant additional visual impact. There are some relatively significant alterations to the design of the front (south east) and side (north east) elevations. The exterior is to be entirely timber clad as opposed to the mix of timber cladding and render on the original structure. The grass roof is to be replaced by a green metal roof. The pergola area to the rear/north west is retained. The proposed finished floor level of 80.78 is the same as that cited in the original grant of permission. The floor area of the permitted structure was 307.5sqm. Under the current application this has been reduced to 251.3sqm.
- 7.1.10. The roof alteration has been cited by third parties as a significant concern. Under the parent permission a grass roof was permitted. The application proposes to alter this to a green metal deck roof. The grounds of appeal and observations considers this change will have a significant adverse visual impact on the area. Further information was sought by the City and County Council with regard to the change of roof type and, on foot of the applicant's response, which justified the alteration primarily on considerations of cost, the slope of the roof and maintenance, the metal deck solution was considered to be acceptable. I do not consider that the change from a grass roof to an appropriate green metal roof would have any undue visual impact and I consider that it would be acceptable. In relation to this issue, the observation from Alan O'Neill states the planning authority told him that the further information roof issue was 'insignificant'. This is also referenced in the further response from Michael Power. It appears to me that this refers to the fact that the application did not have to be re-advertised as 'Significant Further Information' on foot of the further information

response because the response did not alter the application from that applied for i.e. a metal roof. The reference to the roof change being 'insignificant' refers to administrative procedure and not to the consideration of the metal roof in a design context as appears to be understood by the third parties.

Conclusion

- 7.1.11. As stated previously, the current planning application is for amendments to the permitted development. This assessment, therefore, considers the amendments to the parent permission and whether or not they are acceptable. Regardless of the decision made on this application the extant permission, P.A. Reg. Ref. 18/313, remains a valid planning permission which could still be developed. Notwithstanding, having regard to the amendments to the site layout and the proposed building, I consider the amendments are acceptable and would not have any undue adverse impacts on the receiving environment.

7.2. Site Services

- 7.2.1. Concern was expressed in the grounds of appeal and observations about the impact on water quality of the lake.
- 7.2.2. A wastewater treatment system and reed bed was proposed under P.A. Reg. Ref. 18/313. Further information was sought, inter alia, for an alternative design of the system. A revised proposal was submitted following discussion with the Council. The Water Services Section report based on the further information response indicated no objection subject to conditions. The applicant states that there is no change in the specification of the wastewater treatment from that granted. I note the Water Services Section report for the current application indicates no objection subject to conditions. Notwithstanding, there is a discrepancy in the wastewater treatment condition between the parent permission and the City and County Council's decision in the current application. Condition No. 3 of the parent permission specifies that the system shall be installed in accordance with the EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Small Communities. The Water Services Section report for the current application refers to the EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses and the Council's condition in its decision also references that Code of Practice. While I do not consider this discrepancy to be a fundamental issue, I consider it should be addressed by way of a compliance condition between the Council and applicant in the interest of clarity.

7.2.3. A well is proposed to service the facility. Its location in the eastern area of the site remains unchanged from that indicated in the parent permission. Surface water is discharged on site.

7.2.4. I consider the site services are acceptable.

7.3. Environmental Impact Assessment (EIA)

7.3.1. Some of the third party submissions consider EIA should be carried out.

7.3.2. Schedule 5 of the Planning & Development Regulations, 2001 (as amended), sets out development for the purposes of Part 10 i.e. Environmental Impact Assessment. Development of a class included in Part 1 requires mandatory EIA. Development of a class included in Part 2 is subject to thresholds and may require EIA. Any project which does not fall within a class of development under Schedule 5 does not require EIA. As development of the type subject of this application is not of a type of development set out in Schedule 5, no EIA is required.

7.3.3. Therefore, as the proposed development does not fall within a class of development under Schedule 5 of the Planning & Development Regulations, 2001 (as amended), it does not require EIA.

7.4. Appropriate Assessment

Preliminary Screening

7.4.1. The site slopes down from the public road to Ballyscanlan Lough. Some site clearance and development works have been carried out on site in the area close to the public road. There is vegetation on site and around some of the site boundary. There is no watercourse on site.

7.4.2. The site is not in or immediately adjacent to a Natura 2000 site. The closest Natura 2000 site is Mid-Waterford Coast SPA approx. 4km to the south. Tramore Dunes and Backstrand SAC and Tramore Back Strand SPA are approx. 4.6km to the east. Ballyscanlan Lough is a volcanic lake. Therefore, I do not consider that there is any hydraulic or ecological corridor from the site to any Natura 2000 site. I am satisfied that the potential for impacts on any European site can be excluded at the preliminary stage due to the separation distances to European sites and the absence of hydrological or ecological corridor.

Preliminary Screening Conclusion

- 7.4.3. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, remote from any European site and with no hydrological or ecological pathway to a European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission should be granted subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Waterford County Development Plan 2011-2017 (as extended), and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed amendments to the development would be acceptable in the context of the permitted development and would not have any undue adverse impacts on the natural heritage or visual amenity of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be retained and carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 10th day of July 2020, 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 development shall be retained and carried out and completed in accordance with the relevant terms and conditions of the permission granted under planning register reference number 18/313, except as amended in order to comply with the conditions attached to this permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. Details of the materials, colours and textures of all the external finishes to the proposed development 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) Prior to the provision of the effluent treatment system the developer and the planning authority shall agree, in writing, the most appropriate EPA Code of Practice for the development.
(b) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority and in accordance with the requirements of the agreed Code of Practice. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
(c) Within three months of the first occupation of the structure, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

5. Details of the vehicular entrance area, including drainage arrangements, gradients, surfacing, edge fall protection system, gates and sightlines shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

6. The steel shed shall be used solely for uses incidental to the use of the development on site and shall not be used for habitable purposes, the housing of animals or any commercial purpose.

Reason: In the interests of clarity, the amenity of property in the vicinity and the proper planning and sustainable development of the area.

Anthony Kelly

Planning Inspector

16.02.2021