



An  
Bord  
Pleanála

## Inspector's Report ABP-308514-20

<b>Development</b>	Construction of a bungalow dwelling and domestic garage.
<b>Location</b>	Patrickstown Lane, Ballinlough Big, Kells, Co. Meath.
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	KA201057
<b>Applicant(s)</b>	Eamonn Fitzsimons & Marie Masterson.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant permission.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Anthony & Claire Gilsenan.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	1 <sup>st</sup> February 2021.
<b>Inspector</b>	Barry O'Donnell

## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 0.563ha and is located in the townland of Ballinlough Big, approx. 10km west of Kells and in a rural part of west County Meath. The site is greenfield in nature, forming part of a larger field, and is located along a cul-de-sac, Patrickstown Lane. It is bound to the west, in particular along the roadside boundary, by mature hedging and trees, whilst other boundaries are undefined.
- 1.2. The site is located in an undulating landscape and contains a ridgeline approx. 50-75m from the road, where the land falls away to the north and east. Patrickstown Lane has a rural character and has experienced limited growth. Adjacent lands are primarily in agricultural use, although there are a number of residential properties to the west, including an unoccupied property.

## **2.0 Proposed Development**

- 2.1. Permission is sought for a bungalow, detached garage, stables and dung-stead, installation of a proprietary wastewater treatment unit and percolation area and a new entrance from Patrickstown Lane (L-28008).
- 2.2. The bungalow would have a gross floor area of 200sqm and would be set back from the road by 63m. It incorporates a contemporary design, comprising of two monopitch elements, linked by a central flat-roof element. The west side contains sleeping accommodation and a bathroom, whilst the east side contains primarily living accommodation, comprised of an open kitchen/dining/living area, utility room and WC and also containing a bedroom with walk-in-wardrobe. The house would have a maximum ridge height of 6.68m from ground level.
- 2.3. The detached garage and stables building would be set back from the road by c.57m, located adjacent to the west site boundary. The building is designed as a single storey structure, with floorspace provide within the roof, with a ridge height of 7m from ground level. It would have a gross floor area of 140sqm, comprised of a 39sqm garage, 2 stables each with a floor area of 12.25sqm and an 8.5sqm feedstore at ground level and hayloft and store measuring 57sqm at first floor level. The building would have an external footprint of c. 7m x 14m.

### 3.0 Planning Authority Decision

#### 3.1. Decision

- 3.1.1. On 30<sup>th</sup> September 2020, Meath County Council granted permission for the proposed development, subject to 17 No. planning conditions.

Condition No. 2 required that final details and external finish of the house and outbuilding shall be as shown on drawings dated 7<sup>th</sup> August 2020, unless otherwise agreed with the Planning Authority, and also required that the roof of the outbuilding shall be dark grey, blue/black or other colour agreed with the Planning Authority.

Condition No. 3 required that visibility splays of 2.4m x 90m should be provided in both directions.

#### 3.2. Planning Authority Reports

- 3.2.1. Planning Report date stamped 30<sup>th</sup> September 2020, which reflects the Planning Authority's decision to grant permission. The report outlined that the site is in a low development pressure area, where the development plan requires demonstration of a rural housing need. Having outlined the documentation provided by the applicants as part of the local need case, the report outlined that the officer was satisfied that a local housing need had been demonstrated. Regarding design, the report outlined that the design and location of the dwelling and garage/stables building were in line with development plan guidance. The recommended planning conditions were generally in accordance with the Planning Authority's decision to grant permission.

- 3.2.2. Other Technical Reports

**Transportation Department** report dated 28<sup>th</sup> September 2020, outlining no objection to the development subject to completion of required works to provide unobstructed sightlines prior to any other works commencing on the site.

The Planning Report outlines that the application was circulated to the **Environment Department**, but no responding comments were received.

### 3.3. Prescribed Bodies

3.3.1. None consulted.

### 3.4. Third Party Observations

3.4.1. 1 letter of observation was received, the issues raised within which can be summarised as follows:

- Patrickstown Lane is accessed from the R154 Kells to Oldcastle road. Turning onto Patrickstown Lane, the road rises steeply, which hinders visibility. At present, if opposing vehicles meet on the initial stretch of the lane, a vehicle is required to reverse back onto the R154. Should traffic volumes on the lane increase, this will cause increased dangerous traffic manoeuvres.
- Traffic passing facilities along the lane were requested as a condition of permission, to make the lane safer for all who use the lane.

## 4.0 Planning History

4.1. I did not encounter any recent planning records pertaining to the site.

### Recent Nearby Planning Records

KA101278 – *Lands to the south*: Permission granted to Daran Gibney on 6<sup>th</sup> May 2011 for a bungalow, wastewater treatment system, percolation area and new entrance.

KA70003 – *Lands to the west*: Permission refused to Mary Ryan on 27<sup>th</sup> March 2007 for a two-storey house, stable building, sewage treatment system, percolation area and new entrance.

## 5.0 Policy Context

### 5.1. National Planning Framework

5.1.1. Policy Objective 19 is of relevance to the proposed development. It requires the following:

*‘Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:*

- In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements;*
- In rural areas elsewhere, facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements’.*

## **5.2. Sustainable Rural Housing Guidelines for Planning Authorities**

- 5.2.1. The Guidelines identify a number of rural area typologies and accompanying Map 1 provides an indicative outline of these area typologies. According to this indicative map, the subject site is in a ‘stronger rural area’. In such rural areas, the Guidelines outline that the development plan should aim to strike a reasonable balance between: (1) Accommodating proposals for individual houses in rural areas subject to good practice in relation to matters such as siting and design as outlined elsewhere in these guidelines, (2) Actively stimulating and facilitating new housing development in smaller towns and villages to provide for balanced urban and rural choices in the new housing market and (3) Carefully monitoring development trends to avoid areas becoming overdeveloped in terms of leading, for example, to extensive ribbon development.
- 5.2.2. Regarding the identification of rural area types in Map 1, Section 3.2 outlines this map is *‘only an indicative guide to the possible location and extent of the rural area types ...for the purposes of assisting the initial preparatory work on development plans. Further and more detailed analysis must be carried out at local level to incorporate this approach to identifying different types of rural areas in the development plan process.’*
- 5.2.3. The Guidelines require a distinction to be made between urban and rural generated housing needs, in the different rural area types. In relation to the identification of people

with rural generated housing needs, the Guidelines refer to ‘Persons who are an intrinsic part of the rural community’ and ‘Persons working full-time or part-time in rural areas. Of relevance to this appeal, ‘Persons who are an intrinsic part of the rural community’ are identified as having *“spent substantial periods of their lives, living in rural areas as members of the established rural community. Examples would include farmers, their sons and daughters and or any persons taking over the ownership and running of farms, as well as people who have lived most of their lives in rural areas and are building their first homes.”*

### 5.3. Development Plan

- 5.3.1. The site is in a rural area, identified by the Meath County Development Plan 2013-2019 as an ‘Area 3 - Low Development Pressure Area’ (Map 10.1 of the development plan refers). The development plan outlines that this area type covers much of the north-western, western and south-western parts of the county and the key challenge is to arrest population and economic decline.
- 5.3.2. In rural parts of County Meath, the development plan seeks to accommodate rural generated housing needs, subject to local housing need criteria and development management standards. The following strategic policies outline the high-level approach to the assessment of rural housing proposals:

*RUR DEV SP 1 To adopt a tailored approach to rural housing within County Meath as a whole, distinguishing between rural generated housing and urban generated housing in rural areas recognising the characteristics of the individual rural area types.*

*RUR DEV SP 2 To ensure that individual house developments in rural areas satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria. An assessment of individual rural development proposals including one-off houses shall have regard to other policies and objectives in this Development Plan, and in particular Chapter 9 Section 9.6.7 UNESCO World Heritage Site of Brú na Bóinne.*

5.3.3. Policy RD Pol 6 is also applicable to rural housing development proposals in low development pressure areas. It states that it is the policy of the Council:

*‘RD POL 6 To accommodate demand for permanent residential development as it arises subject to good practice in matters such as design, location and the protection of important landscapes and any environmentally sensitive areas.’*

5.3.4. In addition, for rural housing proposals, the development plan outlines that such proposals will be assessed on the basis of the policies set down for each area type and the following criteria:

- Section 10.4 - ‘Persons who are an intrinsic part of the rural community’.
- Section 10.5 – ‘Development assessment criteria’
  - Rural housing needs,
  - Local circumstances such as the degree to which the surrounding area has been developed and is trending towards becoming overdeveloped;
  - The degree of existing development on the original landholding from which the site is taken including the extent to which previously permitted rural housing has been retained in family occupancy;
  - The suitability of the site in terms of access, wastewater disposal and house location relative to other policies and objectives of this plan;
  - The degree to which the proposal might be considered infill development.

5.3.5. Policy RD POL 7 relates to occupancy conditions for one-off rural housing. It states that it is the policy of the Council:

*RD POL 7 To attach an occupancy condition to all individual one off rural dwellings, including those located in Grails, on unzoned land, pursuant to Section 47 of the Planning and Development Act 2000-2012, restricting the use of the dwelling to the applicant, as a place of permanent residence. The period of occupancy will be limited to a period of 7 years from the date of first occupation. No such occupancy condition shall be imposed with respect to housing located in Rural Area Type ‘Low Development Pressure Area’.*

#### **5.4. Natural Heritage Designations**

5.4.1. The site is not located within or adjacent to any Natura 2000 sites.

#### **5.5. EIA Screening**

5.5.1. Having regard to the limited nature and scale of the proposed development it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

6.1.1. The grounds of appeal can be summarised as follows:

- The appeal concerns traffic problems which will arise, should the development proceed as proposed, with the conditions outlined by the Planning Authority.
- It was pointed out in the appellants' submission on the application that the development will lead to an increase in dangerous traffic manoeuvres at the junction of Patrickstown Lane and the Kells to Oldcastle Road (R154). The Planning Authority did not identify any solutions to this traffic problem and did not address the appellants' concerns.
- As part of the grant of permission for Reg. Ref. KA101278, a condition was included which required a lay-by to be constructed along the entrance stretch to Patrickstown Lane, to solve the converging traffic problem on the lane. This permission has lapsed and the appellants understand that the applicant in that instance will not now be building along Patrickstown Lane.
- Patrickstown Lane is 4.3m wide at its entrance, immediately reducing to 2.8m and then rising by 5.2m in the next 100m, with no verge.
- Photographs of the junction of Patrickstown Lane and the Kells to Oldcastle road have been provided.



## **6.2. Applicant Response**

6.2.1. Submission received dated 19<sup>th</sup> November 2020, prepared by Michael Hetherton Arch. and Engineering Services Ltd, the contents of which can be summarised as follows:

- The appeal is considered to be invalid, on the basis that the area of concern to the appellant is outside of the site boundaries and the applicants' landholding and formed no part of the application.
- The application site is family owned. The lands are presently visited on a daily basis and post-development, the lands will be farmed by the applicants. This usage equates to the historic traffic volume.
- There are 4 houses on the lane currently (1 unoccupied) and 2 landowners farm along the lane. This will generate 5-10 traffic movements per day on the lane, which is very low.
- As a solution, it is proposed provide an additional pull-in point along the road frontage of the land, to give adequate space for vehicles to pass. The layby is 2-3.5m in width, and 10m long and is identified on an additional drawing provided as part of the submission.
- The development will not increase vehicle movements along the lane as the lands are currently visited on a daily basis. The lane experiences low vehicle numbers and the entry point is the same as any property entry or exit onto a public road.
- The Planning Authority made no reference to the entrance as it is a public lane and did not form part of the application. The drawing submitted with the appeal identifies that there are adequate sightlines available at the junction of Patrickstown Lane and the main road.
- Regarding the obligation required as part of permission Reg. Ref. KA101278, this was requested in order to achieve adequate sightlines and not for exiting onto the main road.

## **6.3. Planning Authority Response**

6.3.1. Submission received dated 24<sup>th</sup> November 2020, the contents of which can be summarised as follows:

- The proposed development was referred to the Transportation Department for comment and, following receipt of a report dated 28<sup>th</sup> September 2020, the development was deemed by the Planning Authority to be consistent with the policies and objectives of the development plan. The Board is referred to the Planning Officer's Report dated 29<sup>th</sup> September 2020.
- The Board is requested to uphold the Planning Authority's decision.

#### **6.4. Prescribed Bodies**

- 6.4.1. The appeal was circulated to The Heritage Council, An Taisce and The Department of Culture, Heritage and the Gaeltacht. No responding submissions were received.

#### **6.5. Further Responses**

- 6.5.1. None received.

### **7.0 Assessment**

- 7.1. Having inspected the site and considered the contents of the appeal in detail, I consider the main planning issues to be considered are:

- Validity of the appeal,
- Compliance with the rural housing strategy,
- Design, layout and residential amenity,
- Access,
- Drainage,
- Appropriate Assessment.

#### **7.2. Validity of the Appeal**

- 7.2.1. The applicants' response to the appeal requests that it should be dismissed, as the works referred are outside of their control and site boundaries.
- 7.2.2. Having reviewed the appeal documents and visited the site, I am satisfied that legitimate planning matters have been raised and I do not consider that the provisions of Section 138(1)(a) of the Act apply.

### **7.3. Compliance with the Rural Housing Strategy**

- 7.3.1. The subject site is located 10km west of Kells, in an area identified by the development plan as being under 'low development pressure'. In such areas the development plan seeks to accommodate demand for permanent residential development, subject to the applicant demonstrating a rural housing need and good practice in matters of design etc., and it is stated that no occupancy condition will apply.
- 7.3.2. The National Planning Framework was published subsequent to the development plan and, for rural areas outside of those under urban influence, it also seeks to facilitate single houses in the countryside, but includes the proviso '*having regard to the viability of smaller towns and settlements*'.
- 7.3.3. The Rural Housing Guidelines indicative rural area types map indicates that the site is in a 'stronger rural area', however; I would advise the Board that this map is indicative and the Guidelines state that it is a matter for the development plan to identify different rural area types, based on further and more detailed analysis. I am therefore satisfied that the site is in a 'low development pressure' area, in accordance with the development plan designation.
- 7.3.4. The site is not in an area under urban pressure and, as such, there is no restrictive approach to the development of single houses in this area, in accordance with the rural housing guidelines, development plan or the National Planning Framework.
- 7.3.5. Patrickstown Lane has experienced limited development to date (I counted 4 houses along the lane, 1 unoccupied), and the area has an undeveloped, rural character. My review of planning records in the area also noted no other recent proposals for one-off houses in the vicinity. I am satisfied that the proposed development can be accommodated and would not contribute to overdevelopment of the area.
- 7.3.6. I note that the applicants submitted information to indicate that they have a local rural housing need, in accordance with the requirements of the development plan. This was accepted by the Planning Authority as adequate demonstration of a rural housing need and it has not been challenged by the appellants as part of the appeal.

### **7.4. Design, Layout and Residential Amenity**

- 7.4.1. The proposed contemporary house design is acceptable and the development can be adequately accommodated within the site. In my opinion it will have no material impact

on the character or visual amenities of the area, nor on neighbouring properties. The nearest house to the site, located on the same side of the lane, is over 200m to the south.

- 7.4.2. The proposed house is also adequately sized, internally, meeting or exceeding development plan minimum standards in relation to overall size, the size and layout of individual rooms and the level of storage space provided. Adequate private open space would also be provided.
- 7.4.3. Water supply is proposed to be taken from a well, within the front garden and located 51m from the proposed percolation area. It is also shown on the proposed site layout as being on slightly higher ground than the percolation area. This arrangement is acceptable, having regard to the recommendations of the *EPA Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)*<sup>1</sup>.
- 7.4.4. Regarding the garage and stables building, it is laid out to accommodate 1 vehicle and additional storage space, and also 2 stables together with ancillary storage areas. For the stables element, no details of the applicants' need for such additional development was outlined within the application, although I note that the applicants' appeal submission indicates an intent to farm the land. The Board may wish to clarify this aspect of the development, prior to a decision being made; however, I am satisfied that the site, which is part of a larger landholding in area, can accommodate the development and there would be no material impact on the character or visual amenities of the area, nor on neighbouring properties.
- 7.4.5. The stables appear to be ventilated by the stable doors only, whereas available guidance from Teagasc<sup>2</sup> advises that additional ventilation is required for stables, over and above that provided from opening windows or stable doors. Should the Board decide to grant permission, I would recommend that a condition be attached which requires the applicant to provide confirmation that the layout of the stables and ancillary storage facilities complies with relevant guidelines, to ensure that adequate provision is made for animal welfare.

## 7.5. Access

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<sup>1</sup> Page 62

<sup>2</sup> Building Stables for Horses, Teagasc (2009)

- 7.5.1. The development incorporates a bellmouth entrance, with the main gate set back 7.5m from the roadside edge. Visibility splays of 2.4m x 90m are identified, in both directions and require removal of trees and hedgerow, to be compensated by new planting behind the sightline. The proposed visibility splays are acceptable in this location. I note that the Planning Authority's Transportation Department did not raise any concerns in relation to the proposed splays.
- 7.5.2. The issue of access and traffic along Patrickstown Lane is the sole issue raised within the appeal. The appellant has outlined concerns regarding a dangerous traffic situation at the junction of Patrickstown Lane and the R154, advising that the Lane is too narrow to accommodate opposing vehicles and that this situation requires vehicles to reverse onto the R154. The appellant considers the development will intensify the volume of traffic on the Lane, thereby magnifying the road safety issue, and requests that a lay-by arrangement is required to be provided, which would allow two-way traffic flows along this section of the Lane.
- 7.5.3. I accept that Patrickstown Lane is a narrow road, measuring approx. 3m wide in the area of the proposed site access, and it is too narrow to allow two-way traffic flows. However, and whilst I note the appellants' concerns regarding the junction of the Lane and the R154, the applicants do not own the land adjacent to this junction and are therefore not in a position to provide the requested lay-by arrangement. Section 34(4)(a) of the Act gives power to impose a condition '*regulating the development or use of any land which adjoins, abuts or is adjacent to the land to be developed*', but such land must be in the control of the applicant. In this instance, a requirement for the applicants to undertake road improvement works as has been requested would be ultra vires. I do not consider that this is an issue which would justify a refusal of permission.
- 7.5.4. Regarding the appellants' concerns that the development would intensify the use of Patrickstown Lane and would magnify the road safety issue, I am satisfied that the development of a single house along the Lane would not lead to a significant or unacceptable increase in the level of usage of the Lane, such that a refusal of permission would be justified.
- 7.5.5. To address the appellants' concerns, the applicants have proposed, as part of their appeal response, to facilitate a lay-by arrangement along the frontage of their

landholding. Reference is made within the submission to an additional drawing, which depicts this proposed arrangement, but no such drawing appears to have been provided. In any case, I do not consider a proposed lay-by would be beneficial or necessary, along the frontage of the applicants' landholding, where the proposed site access is of sufficient width and design to serve as an informal passing bay. The layout of the Lane is such that the road rises to a high-point approx. 150m south of the proposed site access and the site access has a clear view to the top of this incline. There is no location along the road frontage of the identified landholding that would provide a view to the junction of the Lane and the R154.

- 7.5.6. In conclusion, I am satisfied that the development incorporates an appropriately laid out access and it would not have any unacceptable road safety or traffic impacts.

## **7.6. Drainage**

### *Foul Drainage*

- 7.6.1. The development includes the provision of a proprietary wastewater treatment unit and percolation area. Exact details of the wastewater treatment system have not been provided but it can be seen from the site layout drawing that it would be located 14.8m from the rear of the dwelling, within the garden area, with the percolation area further west and measuring 18m wide x 12.5m deep.
- 7.6.2. A site characterisation form and site suitability assessment have been provided, prepared by Arc Design Services in 2020. The category of aquifer is identified as 'poor', with a vulnerability classification of 'high'. Table B.2 (Response Matrix for On-Site Treatment Systems) of the EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses identifies an 'R1' response category i.e., acceptable subject to normal good practice.
- 7.6.3. A trial hole with a depth of 2m recorded 400mm topsoil and 1.6m of gravelly clay/clay/gravel/boulders. The water table was not encountered. In relation to the percolation characteristics of the soil, a T-test value of 33.81 min / 25mm was returned. A P-Test value of 14.08 min / 25mm was returned. The Report concluded that the site is suitable for the installation of a septic tank system and secondary treatment system.
- 7.6.4. Having regard to the site percolation test results, I consider it has been demonstrated that the site can accommodate a wastewater treatment system.

### *Surface Water Drainage*

- 7.6.5. The proposed site layout drawing indicates that surface water from the site would be piped to a drain. Details of the local drainage network within and surrounding the site have not been provided and the Planning Authority did not comment on this aspect of the development.
- 7.6.6. Available records do not identify any drainage channel within the landholding, with the closest watercourse being a stream to the north and east of the landholding, a minimum of 200m away. Notwithstanding the absence of specific details relating to the local drainage network, in my opinion, where the site has been shown to facilitate ground infiltration, it would be inappropriate to discharge surface water from the site. I note in this regard that the Planning Authority attached a standard condition to the decision to grant, condition No. 9, requiring that surface water shall be disposed of within the site and shall not discharge onto the public road or adjoining property. I am satisfied that, should the Board decide to grant permission, surface water drainage details can be agreed with the Planning Authority, which should include SuDS measures to dispose of surface water within the site.

### **7.7. Appropriate Assessment**

- 7.7.1. The site is not located within or adjacent to any Natura 2000 site. The closest Natura 2000 sites are:
- River Boyne and River Blackwater SPA (Site Code 004232) 4.2km north
  - River Boyne and River Blackwater SAC (Site Code 002299) 4.2km north and 3km south
  - Killyconny Bog (Cloghbally) SAC (Site Code 000006) 6.2km north-east
- 7.7.2. As has been outlined previously, available records do not identify any drainage channels within the landholding, with the closest watercourse being a stream to the north and east of the landholding, a minimum of 200m away. There is therefore no hydrological connection between the application site and Natura 2000 sites within the search zone.
- 7.7.3. Therefore, having regard to the nature and scale of the proposed development, together with the absence of any hydrological connection to Natura 2000 sites, I do not consider that any Appropriate Assessment issues arise and I do not consider 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 permission for the proposed development be granted, subject to conditions as set out below.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities (2005) and Chapter 10 of the Meath County Development Plan 2013-2019, in particular policies RUR DEV SP1, RUR DEV SP2 and RD POL6, which together outline that in 'low development pressure areas' proposals for permanent residential development will be accommodated, for persons who are an intrinsic part of the rural community, subject to good practice, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, or give rise to traffic hazard and would, therefore, be in accordance with the proper planning and sustainable development of the area

## 10.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The roof colour of the proposed house and garage/stables building shall be blue-black, dark-grey or other colour agreed with the Planning Authority.</p>



	<p>The external walls of the dwelling shall be as shown on the submitted drawings, unless otherwise agreed with the Planning Authority.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>Water supply and surface water drainage arrangements, including the disposal of surface water which shall incorporate SuDS measures, shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>The vehicular access, including visibility splays, shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p><b>Reason:</b> In the interests of traffic and road safety</p>
6.	<p>The garage/stables building shall not be used as habitable accommodation.</p> <p><b>Reason:</b> In the interest of residential amenity.</p>
7.	<p>Prior to the commencement of development, the developer shall submit confirmation to the Planning Authority that the layout of the stables and ancillary storage facilities complies with relevant guidelines, with reference to the level of ventilation provided.</p> <p><b>Reason:</b> In order to ensure adequate provision is made for animal welfare.</p>

8.	<p>(a) Existing hedgerows, trees and shrubs on site shall be retained, except where it is necessary to accommodate the entrance to the site and sightlines.</p> <p>(b) Proposals for replacement planting identified on site layout drawing No. 01_A1 shall be submitted for the written agreement of the Planning Authority, prior to the commencement of development.</p> <p>(c) Planting shall commence no later than the first planting season following commencement of development on site. 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.</p> <p><b>Reason:</b> In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
9.	<p>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.</p> <p><b>Reason:</b> 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.</p>

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Barry O'Donnell  
Planning Inspector

10<sup>th</sup> February 2021