



An
Bord
Pleanála

Inspector's Report ABP-315858-23

Development	Construction of a house with detached domestic garage & store. Install a proprietary wastewater treatment system and all associated site development works.
Location	Mulliganstown, Delvin, Co. Westmeath
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	22524
Applicant(s)	Aoife Duffy and Thomas McCabe.
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Gary Daly and Leone Garry
Observer(s)	None.
Date of Site Inspection	21 st of September 2023
Inspector	Caryn Coogan

1.0 Site Location and Description

- 1.1. The site is 0.27ha located in Mulliganstown to the north of Co. Westmeath approximately 4.4km north of Delvin village.
- 1.2. The site is grazing land which forms part of a larger land holding. It is bounded to the north by the local road (L-5540). It is bounded to the south, east and west by a field within the applicant's landholding.
- 1.3. The third-party appellants dwelling is south of the subject site, and the entrance to same is to the west of the subject site.

2.0 Proposed Development

- 2.1. The proposed development is a two-storey dwelling with detached garage, proprietary wastewater treatment system, and all ancillary works.
- 2.2. The original house design was revised by way of further information with a reduced height. The height was reduced by 950mm to a 1.5storey dwelling (dormer style dwelling). In addition, revised screening proposed to the rear of the site were submitted.

3.0 Planning Authority Decision

3.1. Decision

Westmeath Co. Co. issued a decision to grant planning permission for the proposed development on 9th of February 2023 subject to 11No. standard planning conditions relating to rural houses.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information is required regarding the applicant's compliance with the local needs policy of the county development plan; a revised house design to include a more sensitive design approach;

Following receipt of the further information, the reporting officer recommended a grant of permission.

3.2.2. Other Technical Reports

- Area Engineer: Sights lines are adequate. Connections to Public Mains.
No objections subject to conditions

3.3. **Prescribed Bodies**

Department of Housing, Local Government and Heritage recommended hedgerow maintenance should not take place during breeding season i.e. 1st of March and 31st of August. All new hedgerows should consist of indigenous species.

3.4. **Third Party Observations**

Gary Daly and Leone Garry objected to the proposed dwelling on the following grounds:

- Drainage problems on site
- The view from their house will be into the back of the proposed dwelling.
- Loss of privacy
- Negative impact on residential amenities.

4.0 **Planning History**

No relevant planning history cases.

5.0 **Policy Context**

5.1. **Development Plan**

The relevant development plan is ***Westmeath County Development 2021-2027***.

It is a policy objective of Westmeath County Council to:

CPO 9.1

Areas Under Strong Urban Influence To accommodate demand from individuals for permanent residential development in defined 'Rural Areas Under Strong Urban Influence' who have strong links to the area and who are an intrinsic part of the rural community, subject to good planning practice, environmental carrying capacity and landscape protection considerations. Local Housing Need Permit residential development in areas defined 'Rural Areas Under Strong Urban Influence and Stronger Rural Areas' subject to the following circumstances: 1. Persons who are actively engaged in agriculture, horticulture, forestry, bloodstock and peat industry, 2. Members of farm families seeking to build on the family farm, 3. Landowners for this purpose being defined as persons who own the land 5 years prior to the date of planning application, 4. Persons employed locally whose employment would provide a service to the local community, 5. Persons who have personal, family or economic ties within the area, including returning emigrants, 6. Persons who wish to return to farming and who buy or inherit a substantial farmholding which is kept intact as an established farm unit, will be considered by the Council to be farmers and will be open to consideration for a rural house, as farmers. Where there is already a house on the holding, refurbishment or replacement of this house is the preferred option. The local area for the purpose of this policy is defined as the area generally within a 10km radius of the applicant's family home.

CPO 9.8

Ensure that, in permitting one-off rural housing, key rural assets such as water, natural and cultural heritage and landscape quality are protected and maintained.

CPO 9.9

Protect the natural assets of the county including ground and surface water and ensure that physical standards are met including soil conditions suitable for effluent disposal and the avoidance of flood areas.

CPO 9.11

Seek that all proposed on-site wastewater treatment systems for single dwellings and extensions which will increase the population equivalent loading shall comply with the EPA Code of Practice for Wastewater Treatment and disposal Systems serving Single Houses (2009) and any revision thereof.

CPO 16.32

Apply the following guidance in assessing planning applications for rural housing:

Site Selection and Design

- The scale, form, design and siting of the development should be sensitive to its surroundings and visually integrate with the receiving landscape.
- Simple design forms and materials reflective of traditional vernacular should be used.
- Have regard to the scale of surrounding buildings. A large house requires a large site to ensure effective integration into its surroundings (either immediately or in the future, through planned screening).
- The design, siting and orientation of a new dwelling should be site specific responding to the natural features and topography of the site to best integrate development with the landscape and to optimise solar gain to maximise energy efficiency.
- The siting of new development shall visually integrate with the landscape, utilising natural features including existing contours and established field boundaries and shall not visually dominates the landscape. (Cutting and filling of sites is not desirable).
- New buildings should respect the landscape context and not impinge scenic views or skylines as seen from vantage points or public roads.
- Larger houses (e.g. in excess of 200sqm) should incorporate design solutions to minimise visual mass and scale e.g. sub-divided into smaller elements of traditional form to avoid bulky structures.
- Use a simple plan form to give a clean roof shape – a long plan in preference to a deep plan. This will avoid the creation of a bulky shape.
- Where existing vernacular structures exist on site, consideration should be given to their re-use, adaptation and extension in preference to new build.
- Clustering with existing rural buildings is generally preferable to stand-alone locations.

- The applicant should determine if the proposed development is located on any designated natural heritage, archaeological or architectural heritage site. The existence of any of these designated sites within the proposed development site may have implications for the proposed dwelling.

Materials and Detailing

- The detail, texture, colour, pattern, and durability of materials of the proposed development should be sustainable and of a high quality, and sensitive to its proposed location.
- Local Stone (sandstone/limestone - area specific) and render such as stucco, traditional lime render or lime wash, rough cast render or napped render finish and glass is encouraged. Metal cladding such as copper, timber shingle, self finished modern renders, and painted timber finish may be acceptable in certain instances or in cases where the design solution calls for an accent material. Brick, stone cladding which clearly reads as non-structural and non-Local Stone or dashes and cladding and other metal or timber finishes which give an engineered or artificial appearance will generally not be permitted.
- Where contemporary materials are proposed they should complement and harmonise with traditional materials.
- Simple design forms and roof designs with narrow spans (gable-widths) and pitches/profiles are preferable.

Access and Sight Lines

- All applications for planning permission must include (at a minimum scale of 1:500) comprehensive details of the way in which safe access and egress to the site can be achieved.
- Existing roadside hedgerows and trees should be retained as much as possible. The entrance should be carefully considered to achieve the required sight distance with the removal of a minimum extent of existing hedgerow.
- Where satisfactory access can be achieved only by removing large stretches of roadside hedgerow/ditches/stone boundaries, an alternative site for the proposed development should be sought.

5.2. Natural Heritage Designations

Site Code: 002299 River Boyne and River Blackwater SAC is 400metres east of the site.

5.3. EIA Screening

An Environmental Impact Assessment Screening report was not submitted with the application. 5.5.2. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Construction of more than 500 dwelling units

The subject development comprises the construction of a house with sewerage treatment system and associated site works, on a site with an area of 0.272ha. It falls well below the applicable threshold for mandatory EIA.

In respect of sub-threshold EIA, having regard to the limited nature and scale of the proposed development, which does not require specialist construction methods, it is considered that there is no real likelihood of significant effects on the environment. 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

The third party appellants are Gary Daly & Leone Garry. Their grounds of appeal can be summarised as follows:

- **Loss of Privacy:** There will be a loss of their view from the front of their existing dwelling, and a loss of privacy as a result of the proposed development. There are now direct views into the back of the proposed dwelling. One of the reasons they purchased their dwelling was because the location is quiet, private, no flooding and no obstruction of their views.
- **Water Logging:** Photographic evidence is submitted of water logging on the subject site. There could be flooding as a result of the development. The

sewerage system could be affected leading to public health issues. The flooding could affect the safety of their driveway also.

6.2. Applicant Response

- The grounds of appeal are too vague, and the appeal should be dismissed because it is without substance or foundation.
- **Loss of Privacy:** The first-floor window on the rear elevation was redesigned to reduce overlooking for any dwelling south or west along with obscure glazing on the windows facing south. There are now two obscure windows at first floor level as opposed to three windows in the originally submitted design. In addition, revised landscape screening is proposed to the rear of the site. The proposed dwelling will have minimal negative impacts on the residential amenity of neighbouring residents. There was a natural hedgerow on the appellants property prior to lodging the planning application that provided screening, photographs attached which were taken during the preparation of the site percolation test. The appellants removed the natural hedging/ screening prior to raising concerns. Therefore, the appellants concerns are refuted because they removed their own privacy, after the applicants lodged their planning application.
- **Loss of View:** The appellants have no right to a view. Once the landscaping plans mature, neither party will have a view into each other's property. The proposed dwelling was reduced in height by 0.9m.
- **Safety Concerns:** The appellant's claim the proposed development impacts on safety is far too vague. The District Engineer considered the sightlines at the proposed access to be acceptable. There were no objections either to the proposed effluent treatment plant.
- **Residential Amenity:** The residential amenity of the neighbouring properties will not be impacted in terms of noise, overshadowing or overlooking. Given the separation distance between the existing and proposed dwellings, there will be no overshadowing and there will be no overlooking.
- **Drainage Problems:** The Site Suitability and Assessment deemed the site suitable for a wastewater treatment system. The percolation can be achieved

in the existing layers of subsoil. The maps were checked by the planning authority and there is no risk of flooding associated with the site.

6.3. Planning Authority Response

The planning authority had no further comment.

7.0 Assessment

7.1. Having considered the appeal file and inspected the site I consider the following issues need to be examine under this appeal:

- Compliance with the development plan policies relating to Local Need
- Design and Layout of the Dwelling
- Impact on the wider area and amenities
- Traffic
- Effluent Treatment
- Other Issues
- Appropriate Assessment

7.2 Compliance with the development plan policies relating to Local Need

The rural housing policy issue arising from the current Westmeath County Development Plan is CPO 9 relating to rural 'Areas Under Strong Urban Influence'. There is a build-up of one off houses in the general area, although there is not a high concentration of linear developments along the local road network. The principle behind the CPO 9 policy, is to accommodate demand from individuals for permanent residential development to persons who have strong links to the area and who are an intrinsic part of the rural community, subject to good planning practice, environmental carrying capacity and landscape protection considerations. The applicant(s) should comply with certain criteria outlined in this section. Aoife Duffy is the main applicant from the local area. She is a native of Delvin, and there is substantial personal evidence of the planning file to support her case to live in this rural area. The application documentation includes :

- Her birth certificate indicating she is from Ballyhealy, Delvin.
- Her Driving licence denoting her residence at Castletown, Delvin
- Evidence of local school attendance, registered with local G.P. proof of address
- Evidence of membership of local GAA club
- Evidence of strong family ties to the local area and community involvement.

In my opinion, she qualifies under *Section 5. Persons who have personal, family or economic ties within the area, including returning emigrants* of CPO 9. The planning authority did request by way of further information confirmation that neither applicant owned or gained planning permission for a dwelling in a rural area which was confirmed in their submission on the 18th of January 2023.

I am satisfied the applicant, Ms Aoife Duffy, complies with the relevant development plan policy relating to local need planning policy.

7.3 Design and Layout of the Dwelling

I refer to the original dwelling submitted to the planning authority on the 25th of October 2022. It included a detached two storey dwelling (194sq.m.), vernacular in style with smooth finish and included a stone porch feature on the front elevation. The overall ridge height of the dwelling was 8.95m. There were three first floor windows to the rear of the dwelling which were of concern to the planning authority. The three first floor rear windows included two bathroom windows (obscure glass), and a bedroom window. Overall, the proposed dwelling submitted on the 25th of October 2022 was simple in design and specification, and in my opinion, modest in scale as it was under 200sq.m..

An objection was received from third-party appellants residing to the rear of the site during the statutory period. Their concerns related to loss of privacy, loss of view, impact on residential amenity (noise, overshadowing and overlooking).

The planning authority requested a revised house design. The planning authority cited concern regarding the scale, mass and height of the dwelling which it considered would be a visually dominant form which failed to integrate into rural site context.

A revised house design was submitted by the applicants on the 18th of January 2023. The revised design is a dormer style dwelling (1.5storey) with a ridge height of 7.9metres and it included the same two obscure bathroom windows at first floor level, however the relocation of the bedroom window to the eastern elevation of the dwelling.

I accept that the design issue is a subjective planning issue. However, it is my opinion given the size of the subject site, 0.27ha, the setback of the proposed dwelling from the public road and adjoining properties to the north, west and south, the siting of the dwelling is acceptable. Furthermore, the area is not governed by any landscape amenity objectives. It is regular rural area dotted by farmstands and one off housing with no dramatic landscape features in the general vicinity. There are no scenic views associated with the local road. I do not consider the original dwelling to be oppressive in scale, massing or height when viewed from the surrounding area. With a floor area of 194sq.m. and a ridge height just under 9metres, the proposed dwelling (as per the original submission on 25th of October 2022) would not create a visually dominant structure on the landscape.

Furthermore, the revised design which reduced the overall ridge height of the dwelling by less than 1metre, would not have a significant material visual impact on the surrounding area. It is my considered opinion, the original dwelling was more in keeping with the design guidelines of the development plan. I refer to **CPO 16.32** (as outlined in section 5 of this report) of the development plan relating to the Siting and Design of Rural Housing. I consider the original dwelling to be more appropriate because it is reflective of a traditional vernacular style of which the dormer dwelling is not. Furthermore, CPO16 specifically refers to larger dwelling as greater than 200sq.m. The subject dwelling is a modest two storey dwelling at 194sq.m. and a ridge height under 9metres is not excessive. I consider the original house design will integrate into the landscape with its simple plan form and regular roof design, and it is my preferred house design for the subject site. I do note, the third-party objection did not cite the height, massing or form of the proposed dwelling as a concern, they were concerned about the impact of the proposed development on their property which is discussed further in the next section.

7.4 Impact on the wider area and amenities

This issue is the crux of the appeal. The third-party appellants own the dormer dwelling to the south and rear of the proposed dwelling. Unfortunately, the submitted drawings did not include the relevant dwelling on the site layout drawings, and this was not requested by the planning authority as part of the further information. Having regard to the length of the subject site at 73.9metres, the setback from the public road of 22.6metres, the depth of the proposed dwelling at 13metres, I would estimate from the site location drawing at a scale of 1:2500, the approximate separation distance between the front elevation of the appellants dwelling and the rear elevation of the applicant's proposed dwelling, is in excess of 120metres. This is a significant separation distance between the dwellings.

- In terms of overshadowing, the ridge height is approximately 9metres, the orientation of the dwelling is north facing. Given the separation distance, there will be no material impact to the appellant's dwelling in terms of loss of light or overshadowing to the front of their dwelling.
- In terms of overlooking and loss of privacy, in my opinion, it is the applicant's dwelling that will be overlooked by the appellant and not the other way around as perceived by them. According to the applicant's response to the appeal, and the photographic evidence supplied, the appellants removed a mature hedge to the front of their dwelling which had previous to the planning application been lodged, afforded them an adequate level of privacy. However, there is over 120metre separation distance between the properties. When one examines the site location map, the two houses to the west of the proposed development have around 60metre between opposing facades and there are no privacy issues arising. There are landscaping proposals to the rear of the site which will create a screened buffer area between the existing and proposed dwellings.

The appellant has not substantiated or demonstrated how the proposed development will result in a loss of privacy. The original drawings do not appear to have been examined fully. The rear first floor windows include two obscure bathroom windows and one bedroom window. It would not be possible, from a distance exceeding 120m, to view inside the main living

rooms or opposing bedroom windows of the appellants dwelling from the first floor bedroom window of the applicants dwelling. Therefore, I consider, there is no undue loss of privacy to the appellant's dwelling arising from the proposed development.

7.5 Traffic

The Area Engineer considered the sightlines at the entrance to be acceptable. The proposed access is onto a local secondary road, L-5540. A condition was recommended that a sightline of 2.4m x 70m in both directions be maintained at all times. I was satisfied with the sightline at the proposed entrance was adequate.

7.6 Effluent Treatment and Disposal

The Site Characteristic form revealed a free draining subsoil with the bedrock at low levels. The water table level was found at 2.3metre below the surface. The percolation test result was 19, and the subsurface result was 40. A Tertiary Treatment system was recommended.

7.7 Other Issues

- Surface Water: All uncontaminated surface water will be disposed of via an on-site soakway.
- Water Supply: The proposed development will connect to the public water mains. An agreement with Irish Water is required.
- Flooding: The third party appeal expressed concerns regarding flooding on the subject site. There is no nearby water course affecting the site. The photographs submitted on appeal, reveal certain levels of ponding on the site that may have occurred after heavy rainfall. The planning authority's GIS system revealed an area south west of the subject site was prone to risk of pluvial flooding. However the area is considered to be minor and is not within the boundaries of the site.
- Landscaping : The revised landscape plan submitted by way of further information will ensure a screened buffer area between the proposed and existing dwelling south of the subject site. There will be native trees and a wildflower meadow provides along the southern axis of the site.

It is unfortunate the appellants removed the natural hedge fronting their dwelling which is evident from the photographs taken by the applicants agent in September/ October 2022. However, the applicant's proposals to provide new natural screening between the properties will ensure the levels of privacy provided by the hedge will be reinstated.

- To Dismiss the appeal under Section 138(10(a)(ii) of the Act: The applicant has submitted the third-party appeal contains the same issues as the objection at the planning application stage. The planning authority addressed and assessed the issues raised and granted planning permission for the development. The grounds of appeal are too vague, and they are without substance or foundation. The applicant asked the Board to dismiss the appeal on this basis. I would agree with the applicant the concerns expressed have not been substantiated. There has been no technical evidence submitted to support their case. Although I agree the content of the appeal is vague, I do believe the appellants appeal is genuine in that they reside to the rear of the site, and their perception of the proposed development and its potential impacts, are valid. However, upon my assessment of the case, having inspected the site and examined the drawings in detail with particular regard to the significant separation distance between the opposing elevations, I am satisfied there will not be any undue negative impact to their existing residential amenities as result of the proposed development.

7.8 Appropriate Assessment

7.5.1 Compliance with Article 6(3) of the Habitats Directive

Article 6 of the EU Habitats Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation and Special Protection Areas.

- 7.5.2 The Rover Boyne and River Blackwater SAC (Site Code 002299) is circa 400m east of the application site.

Site and Code	Distance	Qualifying Interests	Potential Significant Effects

River Boyne and River Blackwater SAC 002299	400m east	Alkaline fens [7230] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]	There is a hydrological connection as there is a watercourse on the adjoining the site leading to the SAC. There will be no pollution to the SAC arising from the construction and operation of the proposed development. No significant effects to the SAC are likely to occur. However the site will be given further consideration below.
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7.5.3 There are no other Natura 2000 sites within 10-15km of the subject site.

The construction of the proposed dwelling at Mulliganstown, Devlin and subsequent operation of the site as a residential development will have no significant effects upon the integrity or the site structure of River Boyne and River Blackwater SAC. The Natura 2000 site is 400metres east of the application site and there is no hydrological connectivity between the site and the river and its tributaries. The distance is considered to be sufficient to ensure no impacts arise. A new tertiary treatment system is to be installed and emissions to local watercourse will not arise. During the construction phase there is minimal earthworks and excavated material will be reused on site.

- 7.5.4 In view of the best scientific knowledge and on the basis of objective information, it can be concluded that the proposed development, whether individually or in combination with other plans or projects, will have no impacts upon a designated site.

The integrity of the site will be maintained and the habitats and species associated with these site will not be adversely affected. The proposed development does not require to proceed to Stage II of the Appropriate Assessment process.

8.0 Recommendation

- 8.1. I recommend the planning authority's decision to grant planning permission for the proposed dwelling be upheld.

9.0 Reasons and Considerations

Having regard to the provisions of the Westmeath County Development Plan 2021-2027, the nature, scale and layout of the proposed development in particular the separation distances from the existing and proposed dwellings, it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the character of the area or the amenities of the property in the vicinity, and would be acceptable in terms of traffic and public health. 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 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 dwelling granted under this permission shall be the original two storey dwelling submitted to the planning authority on 25th of October 2025.

Reason: In the interest of clarity and the visual amenities of the area.

3. The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter, unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.

(b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation.

This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted in the interests of the proper planning and sustainable development of the area.

4. The construction of the site entrance, including the provision of adequate sightlines in both directions from the entrance, the treatment of the area between the entrance and the edge of the public road, the surface water drainage proposals for the front of the site, shall comply with the requirements of the planning authority for such works. Prior to the commencement of the development, the applicant shall submit to and agree in writing with the planning authority detailed design proposals to comply with this condition.

Reason: In the interest of traffic safety.

5. (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 drive 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 pollution.

6. (a) The on-site wastewater treatment system proposed shall be constructed in accordance with the recommendations of the Environmental Protection Agency's Code of Practice – Domestic Wastewater Systems (EPA 2021). Prior to installation the planning authority may, in the interests of public health and to facilitate best practice, agree in writing certain EPC compliant variations to the wastewater treatment system approved under the application. Such an agreement shall be placed on file and deemed officially substitute/ vary the original granted system. Certification that the complete wastewater treatment unit and polishing filter have been satisfactorily installed in accordance with the Environmental Protection Agency's 'Code of Practice – Domestic Wastewater Treatment Systems (EPA, 2021) shall be submitted to the planning authority prior to occupation of the dwelling. The certificate shall be completed by a suitably qualified indemnified person and shall include a site specific 'as constructed' layout plan and cross-sectional drawing through the effluent treatment system and associated percolation area. Proof of indemnification insurance should be submitted with the certificate.

(b) The complete on-site wastewater treatment system shall be installed and maintained in accordance with the manufacturer's instructions.

Reason: In the interests of public safety.

7. The site shall be landscaped in accordance with the submitted drawings date received by the planning authority on 18th of January 2023. Any plants/ trees which

die, are removed or become seriously damaged within a period of five years of the completion of the dwelling, shall be replaced within the next planting season with others of similar size, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape in the interests of visual amenity.

8. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interests of visual amenity.

9. 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. The application of any indexation required by this condition 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.

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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Caryn Coogan
Planning Inspector

19/01/2024