

MONAGHAN COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

Chief Executive's Order No: P163/22

Reference Number: 21/686

Name of Applicant: PJ Murray

Address: Cunningham Design Assoc.
Thornford Lodge
Broomfield
Castleblayney
Co. Monaghan

Nature of Application: Permission to construct a two storey style dwelling house, new sewerage wastewater treatment system and new entrance onto public road and all associated site development works

Location of Development: Cornacreeve
Ballybay
Co. Monaghan

ORDER:

I hereby decide, pursuant to the provisions of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) to grant permission for the above development in accordance with documents submitted, subject to the 6 condition(s) set out in the Schedule attached hereto.

I further decide that PERMISSION be granted subject to the same conditions on the expiration of the period for the taking of an appeal to An Bord Pleanála against this decision if there is then no appeal before the Bord.



Adrian Hughes
SENIOR PLANNER

18.02.2022

Date

ORIGINAL CHIEF EXECUTIVE'S ORDER - MONAGHAN COUNTY COUNCIL

1. (a) The developer shall pay to Monaghan County Council a sum of €1155.00 in accordance with the General Development Contribution Scheme 2021-2026, made by the Council under Section 48 of the Planning and Development Act 2000 (as amended), towards expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity public infrastructure and facilities in the area.
- (b) The sum attached to this condition shall be revised from the date of the grant of planning permission to the value pertaining at the time of payment in accordance with the Wholesale Price Index for Building and Construction (Materials and Wages)
- (c) No works shall commence until payment of the development contribution is made in full, or until Monaghan County Council has agreed in writing to a schedule of phased payments of the sum.

Reason: It is considered appropriate that the developer should contribute towards the expenditure incurred or proposed to be incurred by the Council in the provision of community, recreation and amenity infrastructure and facilities in the area.

2. (a) Prior to any other works commencing, visibility splays of 50 metres, measured to the nearside road edge in each direction, shall be provided from a point in the centre of the entrance 2.4 metres from the road edge at a height of 1.05 metre to 2.0 metres above ground level to an object height of 1.05 metres to 2.0 metres above ground level in both directions. The visibility splays shall be retained and kept clear thereafter.
- (b) The entrance/access road shall be surfaced with concrete, bituminous or other suitable materials for a minimum of 5 metres from the edge of the public road. It shall be graded back so that the level at 3.0 metres from the edge of the carriageway is a minimum of 100 mm below road level. The gradient of the access road shall be not greater than 1:20 (5.0%) for the first 5 metres/1:25 (4.0%) for the first 10 metres] from the boundary and no less than 1:10 (10.0%) thereafter.
- (c) A french drain, consisting of concrete/twinwall pipes no less than 225mm in diameter and backfilled to ground level with suitable granular filter material shall be placed along the entire site frontage and discharge to the nearest appropriate watercourse or drainage pipeline. Suitable gullies shall be placed at the start, end, and intersection of other drains and at not greater than 40 metres intervals. If a road opening licence is required a separate application shall be made to Monaghan County Council and no works shall commence until a licence is granted.
- (d) [Cattlegrid/ACO Drain/Gullies] shall be installed at the proposed entrance and constructed in such a manner as to prevent water flowing from the entrance onto the public road. The discharge from the above drainage shall be piped to an appropriate drainage pipeline or watercourse.
- (e) Surface water from the site shall not drain onto the public road or otherwise interfere with the existing public road drainage system. The discharge of surface water from

the public road onto the site through road surface drainage and road subsoil drainage shall remain unimpeded.

- f) The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining public road is kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.
- g) All site works required in respect of conditions (b), (c), (d) and (e) above shall be carried out prior to the [occupation of the development/commencement of operations] hereby approved and shall be permanently retained thereafter
- h) Before any work is commenced on this development a security, by way of a cash deposit, to the sum of **€2250**, shall be paid to the planning authority by the developer to ensure that works are carried out in accordance with the approved plans and conditions (a) to (g) above. Failure to carry out these works to the satisfaction of the Planning authority will result in forfeiture of all of the cash security.

Reason: In the interest of traffic safety and to ensure a satisfactory standard of development.

- 3. a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 16th December 2021 and in accordance with the requirements of the document entitled The Environmental Protection Agency Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent <= 10) 2021. No system other than the type proposed in the application shall be installed without the prior written agreement of the Planning Authority.
- b) A maintenance contract for the effluent treatment and disposal system shall be entered into from the first date of occupancy of the dwelling and permanently maintained thereafter. Signed and dated copies of the contract, which shall be for a minimum period of 3 years, shall be submitted to, and agreed in writing with the planning authority within 2 months of the installation.
- c) Surface water soakaways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.
- d) Within two months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proposed effluent treatment and disposal system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

Reason: In the interest of public health and environmental protection.

4. a) The planting details and associated site works as indicated on plans as submitted to the Planning Authority on 16-12-2021 shall be fully implemented prior to any occupancy of the dwelling hereby approved or in the first available planting season following commencement of building operations, whichever is the sooner.
- b) Landscaping works within the site area as detailed on plans as submitted to the Planning Authority on 16-12-2021 shall be permanently retained thereafter being planted. Any plant which fails in the first planting season shall be replaced.
- c) Only that portion of the roadside hedgerow, which must be lowered or uprooted to provide adequate sight distances shall be removed. All other trees and hedgerows bounding this site shall be permanently retained in this development, shall be reinforced with additional planting and shall be protected from damage at all times, particularly during building operations.
- d) The line of the recessed entrance shall be planted with a double staggered row of trees (at maximum 3 metre centres) and a hedgerow of species native to the area to form a naturalised hedgerow similar to existing hedgerows in the vicinity. Species shall include thorn, beech, ash, oak, hazel, sycamore and holly.


Reason: In the interest of visual amenity.

5. a) Roof tiles/slates and ridge tiles shall be blue/black in colour.
- b) A maximum of two external wall finishes shall be utilised.

Reason: In the interest of visual amenity.

6. The development shall be carried out in accordance with plans and documentation submitted to the Planning Authority on 16-12-2021, except as may otherwise be required in order to comply with the above conditions.

Reason: To ensure a satisfactory standard of development.



Adrian Hughes
Senior Planner

18.02.2022

Date

