

LOUTH COUNTY COUNCIL

Planning Section, Town Hall, Crowe Street, Dundalk, County Louth
Tel:042/9335457 Fax:042/9320080

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

NOTIFICATION OF GRANT OF PERMISSION

TO: Kathleen Carnegie (nee King)
c/o NOEL MCGAHON
ESSEXFORD
LOUTH P.O.
CO LOUTH

07/11/2014

Register Reference Number: 14229

Date Application Received: 23/06/2014

Description of Development: Permission for a bungalow house, a domestic garage, a waste water treatment system & all associated site works

Application Type: PERMISSION

Name of Applicant:
Kathleen Carnegie (nee King)

Location Address:
Mullavally
Louth,
Dundalk

Permission is hereby granted for the development described above, subject to the 13 conditions set out in the Schedule attached.



**Anne D. Callan,
Administrative Officer**

NOTES

1. Unless otherwise specified in this decision and subject to certain exceptions, a permission will, on the expiration of a period of five years beginning on the date of grant, cease to have effect as regards:
(a) in case the development is not commenced during that period, the entire development, and
(b) in case the development is commenced during that period, so much of the development as is not completed within that period.
2. A grant of Outline Permission will cease to have effect on the expiration of a period of three years beginning on the date of grant, unless a subsequent application for permission has been made within that period.
3. A grant of Outline Permission does not authorise the carrying out of any development. A subsequent grant of Permission must be obtained before development commences.

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CONDITIONS

1. The development shall be carried out in strict accordance with the plans and specifications submitted to the Planning Authority on 23rd June 2014 and further information received on the 18th September 2014 save for the conditions attached below.

Reason: In the interests of orderly development.

2. a. The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, Kathleen Carnegie (Nee King), or her heirs, and shall remain so occupied for a period of at least seven years thereafter, unless consent in writing is granted by the Planning Authority for its occupation by other persons who are eligible under the appropriate qualifying criteria for the area. 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, together with a signed section 47 agreement as required at paragraph (a) above.

c. This condition shall not affect the sale of the dwelling by a mortgagee in possession or by a 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 the development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.

3. The proposed garage shall be used solely for purposes incidental to the enjoyment of the dwelling house and not for any residential, industrial, business or commercial purposes.

Reason: To protect the amenity of the area and to prevent unauthorised development.

4. In accordance with the Council's Development Contribution Scheme 2010- 2014 made under the provisions of section 48 of the Planning and Development Act 2000 the developer shall pay a contribution to the Planning Authority, (or such increased amount in accordance with the changes on an annual basis to the Wholesale Price Index for building and construction published by the Central Statistics Office) towards the costs already incurred or to be incurred by the Planning Authority on the provision of each of the

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public facilities listed below, which will benefit development in the area of the Planning Authority. Unless otherwise agreed in writing with the Planning Authority before development is commenced the said contribution shall be paid in full before such commencement.-

a.	Road improvements	-	€2,442
b.	Community, recreational and amenity	-	€ 433
Total		-	€2,875

Reason: The provision of such public infrastructure and facilities in the area of the planning authority has benefited or will benefit the proposed development and it is considered reasonable that the developer should contribute towards the cost of their provision.

5. a. The landscaping plan as detailed by the site layout map shall be fully implemented during the first planting season following commencement of development on this site. Any plant that fails during the first year shall be replaced.

b. the existing front boundary hedgerow shall be permanently retained as part of this development.

Reason: In the interest of the amenities of the area.

6. Visibility of 75m x 2.4m x 1.05m to be made available at the entrance to the site. All hedges and verges within the visibility splay to be maintained in order to achieve the required visibility. Fully visibility to be made available in each direction prior to the commencement of any development on the site.

No impediment to visibility at the entrance to be allowed to be placed, planted or allowed to remain 2.4m from the edge of the carriageway.

Reason: In the interest of traffic safety.

7. Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the public road or adjoining property. Surface water drainage to be in accordance with submitted site layout, dated September 2014.

All soak pits to be located as shown on revised site layout dated September 2014. All soak pits to be constructed strictly in accordance with design calculations submitted in September 2014.

Reason: In the interest of orderly development.

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8. The Wastewater Treatment & Disposal System shall comply with the EPA Code of Practice: Wastewater Treatment and Disposal Systems serving Single Houses (October 2009).

Packaged Wastewater Treatment System

- a. The development shall be serviced by a packaged wastewater system conforming to I.S. EN 12566-3 or is Irish Agrément Bord Certified. The system shall comply with the EPA Code of Practice – Section 9. The system shall be installed in accordance with the manufacturer's instructions. Installation shall be supervised and certified by a competent person or the system supplier and the work documented for future evidence.

Packaged Peat Media Filter System

- b. The treated effluent from the packaged wastewater system shall be discharged to a packaged peat media filter system which is Irish Agrément Bord Certified. The peat media filter system shall comply with the EPA Code of Practice – Section 9. The system shall be installed in accordance with the manufacturer's instructions. Installation shall be supervised and certified by a competent person or the system supplier and the work documented for future evidence.

Percolation Area / Polishing Filter

- c. The treated wastewater from the packaged peat media filter system shall be discharged to a percolation area/polishing filter complying with the EPA Code of Practice – Section 7 and 10. The installation shall be overseen and certified by a suitably qualified site assessor. This certificate shall be forwarded to the Planning Authority by the site assessor. The site of the percolation area/polishing filter shall be staked and roped off before any construction activities begin, to make others aware and to keep traffic and materials off the site.

Location of System

- d. The wastewater treatment and disposal system shall not be located at any position other than that indicated on the site layout map approved by the Planning Authority. The treated wastewater shall not be discharged to any watercourse (including drains).

Minimum Separation Distances

- e. The minimum distances of separation of the wastewater treatment and disposal system from relevant features shall be as set out in the EPA Code of Practice – Section 6 Table 6.1.

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Wells

- f. The minimum separation distance between a receptor and the percolation area/polishing filter shall be as set out in the EPA Code of Practice – Annex B Table B.3.
- g. Where the planning permission includes a condition to connect to the mains water supply and an alternative private well supply is later proposed, a report from an approved site assessor showing compliance with Table B.3 and a site layout plan showing the location of the well must be submitted to the Planning Authority for record purposes.

Change of System

- h. The wastewater treatment and disposal system shall be strictly in accordance with the details submitted to and approved by the Planning Authority. A system other than that proposed shall not be installed without the prior written consent of the Planning Authority. A request for a change of system shall be supported by a site specific report from an approved site assessor confirming that the proposed alternative system is appropriate for the site and meets the requirements of the EPA Code of Practice.

Certification for the Wastewater Treatment and Disposal System

- i. Before the dwelling is occupied, the developer / property owner shall furnish the Planning Authority with written certification from a competent person who possesses and produces professional indemnity insurance for a minimum of €1,000,000 that the installation of the treatment system and percolation/polishing filter have been carried out in accordance with the EPA Code of Practice: Wastewater Treatment and Disposal Systems serving Single Houses (October 2009) and the requirements of the Planning Authority as set out in a, b, c, d, e, f, g and h above.

Installation, Inspection and Monitoring Schedule

- j. The wastewater treatment system shall be installed, inspected, maintained and monitored in accordance with the EPA Code of Practice – Section 12 Table 12.1. Homeowners should obtain the appropriate documentation including manufacturer's instructions on the system and shall take all steps to ensure that the system is properly operated and maintained. A management and maintenance agreement shall be completed with the system supplier. All inspection and maintenance work shall be carried out by competent persons. Records of installation including contractor's details, maintenance and de-sludging shall be kept to demonstrate a 'duty of care'. The documentation should be transferred to any new homeowner. It is recommended that the tank should be de-sludged once a year.

Reason: To prevent unauthorised development and in the interest of public health.

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9 a. The proposed use of red brick is not considered to be traditional or in keeping with the rural landscape and shall be omitted from this development.

The external finish of the dwelling and entrance walls shall be finished with a plaster, dash or natural stone finish.

b. Where a natural stone finish is proposed the applicant must demonstrate to the Planning Authority that the stone is from the locality or that there is a consistency in colour that links it successfully with other stone structures, ditches, rock outcrops in the immediate vicinity of the site.

Prior to the commencement of development the applicant shall submit details (sample), for the written agreement of the Planning Authority, of the stone it is proposed to use to the elevations of the dwellinghouse and winged walls hereby granted planning permission.

Reason: In the interest of the visual amenities of the area and in order to comply with policy SS49 of the Louth CDP.

10. The water supply shall be from the public mains and not the abandoned well or spring on site.

Reason: In the interest of public health.

11. During the course of construction work the developer shall provide on site a covered skip or other suitable receptacle for the deposit therein of all rubbish, litter, paper, packaging, rubble and other such materials arising from the works and shall ensure that the site is maintained at all times in a clean and tidy condition.

Reason: In the interest of visual amenity of the area.

12. Public roads in the vicinity of the site shall not be used for the storage of materials associated with the proposed development.

Reason: In the interest of orderly development.

13. The public road at the entrance to the land adjacent to the site shall be kept free of soil, clay, gravel, mud or other debris at all stages when the development is taking place. Care should be taken to ensure that all vehicles leaving the site shall be free of material that would be likely to deposit on the road and that in the event of such deposition occurring immediate steps should be taken to remove the material from the road surface.

Reason: In the interest of traffic safety and to protect the visual amenities of the area.

Important Notes for Applicants

1. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes of legislation affecting the proposal.
2. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
3. A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.