

COUNCIL OF THE DONEGAL COUNTY HEALTH DISTRICT

PLANNING AND DEVELOPMENT ACTS, 2000 - 2013

NOTIFICATION OF FINAL GRANT

TO: KENNETH CAMPBELL
C/O PADRAIG GALLAGHER
DUNLEWEY
LETTERKENNY
CO DONEGAL

Planning Register Number: 13/51332

Valid Application Receipt Date: 11/10/2013

Further Information Received Date: 16/12/2013

In pursuance of the powers conferred upon them by the above-mentioned Acts, Donegal County Council have by Order dated 09/01/2014 GRANTED PERMISSION to the above named, for the development of land, namely:-

CONSTRUCTION OF A DWELLING HOUSE AND DOMESTIC GARAGE WITH PROPRIETARY WASTEWATER TREATMENT SYSTEM INCLUDING ALL ASSOCIATED SITE WORKS AT MEENBANAD BURTONPORT LETTERKENNY PO IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.

Subject to the 7 conditions set out in the Schedule attached.

Signed on behalf of Donegal County Council.
County House
LIFFORD

(Telephone 074 - 9153900)

J. Box - eff

for A/AREA MANAGER
Date: 14th FEBRUARY, 2014

SCHEDULE

1. (i) The dwelling the subject of this permission shall be used as a holiday home only and shall not be used for the purposes of a permanent house. Such permanent use to be commenced only if authorised by a separate grant of permission.
(ii) "Holiday Home" for the purpose of this condition means a secondary place of residence that does not form a principal and main residence, but excludes second homes occupied on an intermittent basis by persons who are returning emigrants. "Permanent House" for the purpose of this condition means the principal and main residence.

Reason: In order to define the permission and to comply with the provisions of the County Donegal Development Plan, 2012-2018 (as varied).

2. (a) Electrical and telephone service shall be underground.
(b) Any bulk fuel storage tank shall be screened from public view by means of timber picketing unless otherwise agreed with the Planning Authority in writing.
(c) Roof and ridge tiles shall be blue/black.
(d) Stone finish to dwelling shall be constructed from locally sourced stone unless otherwise agreed with the Planning Authority in writing.
(e) The domestic garage herein permitted shall be used for private and domestic purposes only ancillary to the enjoyment of the parent dwelling house on site.
(f) The domestic garage herein permitted shall only be constructed concurrently with, or subsequent to, the dwelling house herein permitted.

Reason: To define the terms of the permission and to cater for the orderly development of the area.

3. (a) Existing front boundary fence shall be removed and a new semi-mature broadleaved hedgerow of species native to the area shall be planted along a line at least 5 metres from centre line of adjacent road. Said hedgerow shall incorporate an opening which consists of a minimum width at road fence of gates of 9.15m minimum depth from road fence to line of gates of 2.45m and a minimum width on line of gates of 4.9m as set out on Table 20, Section 10.2.4 and figure 2, Chapter 10 – County Development Plan, 2012 – 2018 (as varied).
(b) Area between old and new front boundaries shall be soled with 450mm of 100mm stone, blinded with quarry dust, consolidated and graded to existing road levels and provide grade falling back towards site. Area thereafter shall be maintained by applicant.
(c) Prior to commencement of development, permanent visibility splays of 50m shall be provided in each direction to the nearside road edge at a point 2.4 metres back from road edge at the junction of the access point with the County Road. Visibility in the vertical plane shall be measured from a driver's eye-height of 1.05 metres and 2 metres positioned at the setback distance in the direct access to an object height of between 0.26 metres and 1.05 metres.

Continuation of Schedule – Order No. 2014PH0039

No. 3 continued

(d) All overhead and underground poles and lines shall be set back to line of new fenceline at developers expense and no obstructing pole(s) shall be left on layby.

Reason: To cater for orderly development and in the interests of traffic safety.

4. (a) No surface water generated within the site is permitted to discharge to the public road and applicant shall take steps to ensure that no public road water discharges onto site.

(b) A suitable drainage system shall be employed to prevent discharge of water from site to the adjacent road (e.g. entrance gullies or slotted drainage block).

Reason: To preserve road drainage and to prevent flooding.

5. All site boundaries shall be planted with hedgerow of broadleaved semi-mature species native to the area and/or a stone wall of locally sourced materials, but a rendered block wall or decorative wall is not permitted and shall **NOT** be constructed without the prior written approval of the Planning Authority. Where existing boundaries contain hedgerow planting, same shall be retained. At least 6 no. semi-mature broadleaved trees native to the area shall be planted on site within first planting season following commencement of development, any trees dying within subsequent five years shall be replaced.

Reason: To preserve the amenities of the area.

6. (a) Effluent treatment system and soil polishing filter shall be in accordance with the "EPA Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses" (October 2009).

(b) The wastewater treatment system and soil polishing filter shall be installed, operated and maintained in strict accordance with the supplier's instructions.

(c) Documentary evidence detailing a five-year maintenance contact between the applicant/owners and the suppliers of the wastewater treatment system shall be forwarded to the Planning Authority upon its installation.

(d) No part of percolation area shall be within 20m of any dwelling, within 3m of the boundary of the adjoining site and within 10m of the nearest road boundary, stream or ditch.

(e) The wastewater treatment system shall be installed and the (soil polishing filter) constructed in strict accordance with the site specific conditions as set out in the final recommendations of the site suitability assessment report by High Boyle/Tecsoil submitted to and received by the Planning authority in support of the subject application on 11th October 2013.

Reason: In the interests of public health.

Continuation of Schedule – Order No. 2014PH0039

7. The applicant (or person at the relevant time entitled to the benefit of the permission) shall pay a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is already provided or is intended will be provided by the Authority. The amount of the contribution will be as set out below and is determined in accordance with the "Donegal County Council Development Contribution Scheme 2008 - 2012" (made under Section 48 of the Planning and Development Act, 2000). The total contribution and breakdown of same in respect of the different classes of public infrastructure and facilities provided/to be provided by the Authority are –

Roads & Marine	€ 3,335.35
Economic Community Culture	€ 3,335.35
Town & Village Renewal	€ 6,670.71
TOTAL:	€ 13,341.41

The above charges shall be index linked from 1st March each year following imposition of the levy in accordance with the Wholesale Price Index for Building and Construction published by the Central Statistics Office.

The total contribution shall be paid to the Council prior to commencement of the development unless the Council have agreed in writing beforehand to facilitate phased payment of the contributions in which event as part of any such agreement the Council may require the giving of security to ensure payment.

Reason: To facilitate provision of capital works.

ADVICE TO APPLICANT

Duration of Permission

The permission to be issued (hereinafter referred to as "the permission") will cease to have effect in five years from the date of issue as regards any part of the development **not completed** by that date.

No works can commence on foot of "A Notification of Decision" on an application.

The development is only authorised when a "Notification of Final Grant" is issued.

The planning legislation currently provides that where the development has either (i) not been completed but substantial works have been carried out pursuant to "the permission" or (ii) not commenced and there were considerations of a commercial, economic or technical nature beyond the control of the applicant which substantially militated against either the commencement of development or the carrying out of substantial works pursuant to "the permission" during the said five years, an application to "extend" "the permission" may be made. Such application shall not be made earlier than one year before the expiration of "the permission".

ADVICE TO APPLICANT (contd.)

Road Opening:

Permission for road openings associated with such connections must also be separately approved by the Council (as appropriate) prior to the commencement of any works on the opening of road, verge or footpath for the purpose of making such connections. (Separate fees are payable).