

**PLANNING & DEVELOPMENT ACTS 2000 - 2020**

**NOTIFICATION OF DECISION TO GRANT A PERMISSION**

**(SUBJECT TO CONDITIONS) UNDER THE ABOVE ACTS**

**CAVAN COUNTY COUNCIL**

**TO:** Damien Ward & Frances Brennan  
C/o Wynne Gormley Gilsenan  
Architects & Surveyors Ltd.  
21 Church View  
Cavan  
Co. Cavan H12 NY29

**Planning Register Number:** 22/251  
**Application Receipt Date:** 15/06/2022  
**Valid Application Date:** 15/06/2022  
**Further Information Received Date:** 30/11/2022

In pursuance of the powers conferred upon them by the above-mentioned Acts, Cavan County Council has by Order dated **20/12/2022** decided to **GRANT PERMISSION** for development of land, namely:- to develop a Glamping Site comprising 4 no. self catering glamping pods, install a car parking area, install pedestrian paths, form new entrance from the public road, construct boat jetty on shore of Skeagh Lough, install wastewater treatment unit and percolation area together with all ancillary site works Significant further information and revised plans have been submitted. at Skeagh, Bailieborough Co Cavan in accordance with the plans submitted with the application.

**Subject to the 21 condition(s) set out in the attached 2<sup>nd</sup> Schedule and for the reason set out in the 1<sup>st</sup> Schedule.**

Signed on behalf of Cavan County Council

  
**Senior Staff Officer**

Date: 21 December, 2022

Provided there is no appeal against this **DECISION** a grant of planning permission will issue at the end of period within which an appeal may be made.

**THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS ISSUED.**

**NOTE:**

An appeal against the decision may be made to An Bord Pleanála within four weeks beginning on the date of the **DECISION**. Any appeal must be accompanied by a copy of acknowledgement of your submission to the Planning Authority.

Appeal against a decision of a Planning Authority on a planning application must be accompanied by the appropriate fee. Forms and full particulars are available from [www.pleanala.ie/appeals](http://www.pleanala.ie/appeals).

Appeal should be addressed to **An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902.**

**PLANNING & DEVELOPMENT ACTS 2000 – 2020**

**PLANNING APPLICATION:** Damien Ward & Frances Brennan

**REG.NO.** 22/251

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**SCHEDULE 1**

**Reasons and Considerations:** Having regard to the nature and design of the development and to the provisions of the Cavan County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions attached, the development would not seriously injure the amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

**SCHEDULE 2**

1. (a) The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 15<sup>th</sup> June 2022, and by further information received on the 30<sup>th</sup> November 2022 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.

(b)(i) The facility shall be used for short-term tourist accommodation only, which serves the needs of visiting members of the public. No permanent or long-term occupancy (that is periods in excess of 30 days) by visiting members of the public, of the facility shall be permitted.

(ii) The proposed glamping pods (4 no. in total) shall not be sold or conveyed separately from the remainder of the development.

**Reason:** In the interest of clarity.

2. The Developer shall pay the sum of €4,950 to the Planning Authority 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.

**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.

3. The proposed development shall be carried out fully in accordance with the mitigation measures contained within the Ecological Impact Assessment Report received by the Planning Authority on 30<sup>th</sup> November 2022 shall be fully applied and implemented.

**Reason:** In the interest of protecting biodiversity.

4. Prior to commencement of the development, the applicant shall apply to Cavan County Council for a Section 4 discharge licence in accordance with a Local Government (Water Pollution) Acts 1977 and 1990.

**Reason:** In the interests of public health and environmental sustainability.

5. The applicant shall submit a certificate to Cavan County Council from the supplier of the wastewater treatment system, ferric dosing unit and filters outlining that they have been installed and commissioned in accordance with the manufactures specifications.

**Reason:** In the interests of public health and environmental sustainability.

6. The applicant shall submit a certificate to Cavan County Council indicating that the gravel distribution bed has been properly constructed. The certificate shall be issued by the holder of one of the following qualifications,

- a. Degree in Civil Engineering
- b. Degree in Architecture
- c. Civil Engineering Technician (Diploma)
- d. Architectural Technician (Diploma)
- e. Environmental Technician (Diploma)

**Reason:** In the interests of public health and environmental sustainability.

7. Playing of music and/or other events which involves amplification equipment is not permitted.

**Reason:** To protect the environment in terms of noise pollution and to comply with Objective N02 of the Cavan County Development Plan 2022-2028.

8. The proposed development shall be carried out in accordance with the Construction Environment Management Plan received by the Planning Authority on 30<sup>th</sup> November 2022.

**Reason:** In the interests of public health, the environment and proper planning and development.

9. The site manager(s) shall carry out a daily inspection during the construction phase to check for uncontrolled water loss or contaminated discharges to groundwater or surface water. Any water loss or contaminated discharges shall be ceased by appropriate methods immediately. The frequency of inspection will increase during/after periods of heavy rainfall.

**Reason:** In the interest of public health and environmental sustainability.

10. Direct run-off of contaminated discharges from the development site to drains or other watercourses shall be prevented. A buffer zone must be maintained relevant to all watercourses.

**Reason:** In the interest of public health and environmental sustainability.

11. The applicant shall make provision, as is necessary, to ensure immediate mitigation or alleviation of adverse impacts to surface and groundwater.

**Reason:** In the interest of protecting the environment.

12. All possible water quality and environmental protection measures must be in place prior to clearing of the site commencing.

**Reason:** In the interest of public health and environmental sustainability.

13. (i) All plant shall be refuelled off-site.  
(ii) Plant wholly operated within the development site may only be refuelled on-site.  
(iii) Mobile plant shall be refuelled on a hardstanding.  
(iv) Emergency repairs of plant may be carried out provided mechanics use appropriate drip trays and oil catcher tanks to drain hydraulic, or oil lubrication, systems.  
(v) Sufficient oil absorbent material shall be available to cope with an oil or hydraulic fluid loss equal to the total content of the largest item of plant.

**Reason:** In the interest of public health and environmental sustainability.

14. No hydrocarbons shall enter surface waters from vehicle refuelling, maintenance, waiting and parking and appropriate infrastructure shall be put in place if so required in order to prevent any such discharges occurring. All fuel, lubricants or other chemical storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal to 1.5 times the capacity of the largest tank. The applicant shall take precautions to ensure that oils and fuels used in the operations are stored in a secure place. All waste oil shall be removed from the site and disposed of to the satisfaction of the planning authority.

**Reason:** In the interest of public health and environmental sustainability.

15. Incidents of surface or groundwater pollution, or incidents that may result in surface or groundwater pollution, shall be notified to the Cavan County Council without delay.

**Reason:** In the interest of public health and environmental sustainability.

16. During the construction and the operational phases, uncontaminated surface run-off within the development shall be collected and managed in accordance with the surface water drainage systems detailed in the application documents received.

**Reason:** In the interest of public health and environmental sustainability.

17. In the event that any analyses or observations made on the quality or appearance of the surface water should indicate that contamination has taken place the applicant shall:

- a) Carry out an immediate investigation to identify and isolate the source of the contamination.
- b) Put in place measures to prevent further contamination and to minimise the effects of any contamination to the environment.

c) Notify Cavan County Council within 24 hours of the applicant becoming aware that contamination has occurred.

**Reason:** In the interest of public health and environmental sustainability.

18. The applicant shall submit to the Planning Authority for approval, proposals including dimensioned drawings, for a pedestrian facility within the development, linking the pods and the lake shore.

Reason: In the interest of clarity.

19. The area between the entrance gates and the new boundary and the bituminous\ tarred road shall be treated in the following manner:

a) existing roadside drainage shall be piped under the entrance and area forward of new boundary walls shall be drained with pipes, the diameter of which shall be a minimum of 225mm.

b) the area shall be backfilled and graded downwards from the bituminous\ tarred edge of the public road, provided with lockable type gullies and a surface water drainage system ('Acco' channel or similar approved) that ensures no surface water flows from the entrance (or layby area) to the road but is collected and discharged direct to nearby watercourses.

c) area forward of new fence line shall be constructed with a minimum depth of 400mm layer of Clause 804 and finished in 100mm layer of bitumen macadam.

**Reason:** In the interests of traffic safety and amenity.

20. No surface water from roofs or paved areas shall flow from the site onto the public road but shall be collected by a surface water drainage system and discharged direct to nearby watercourses.

**Reason:** In the interest of public health and traffic safety.

21. All works relating to entrance and frontage construction, including gate piers, boundary walls, gullies and works to the private lane etc. shall be completed concurrently with the occupation of the glamping pods.

**Reason:** In the interests of traffic safety and amenity.

A handwritten signature in black ink, reading "Fiona McIntyre". The signature is written in a cursive style with a large loop at the end. Below the signature, the text "Senior Staff Officer" is printed in a simple, black, sans-serif font.

**Senior Staff Officer**



## **Important Notes to Applicant:**

### **1.0 SITE NOTICE(S):**

The applicant is required to remove the site notice(s) on receipt of the notification of the decision from the planning authority.

### **2.0 COMPLIANCE CONDITIONS:**

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to the commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000, as amended. [Please submit 2 no. hard copies and/or an electronic copy of the compliance documentation.]

### **3.0 COMMENCEMENT NOTICE:**

In accordance with the Building Control Regulations you are obliged to submit a commencement notice prior to the commencement of development. The commencement notice must be received by the Building Control Authority not less than 14 days and not more than 28 days before you wish to commence work. Notice of commencement must be completed online on the National BCMS (Building Control Management System). A commencement notice is relevant in all cases, except where a person intends to commence work on the construction of a building before a grant of the relevant Fire Safety Certificate, where one is required. In this case the correct form to use is a '7 Day Notice'.

### **4.0 LEGAL TITLE MATTERS:**

A person shall not be entitled solely by reason of a grant of planning permission to carry out any development.

### **5.0 OBLIGATIONS UNDER OTHER STATUTORY CODES:**

Please note that consent under the Planning and Development Act 2000, as amended, does not imply consent under the Building Control Regulations. The onus is on the designer and assigned certifier to ensure full compliance with the Building Control Regulations (in certain circumstances design changes may require planning permission). [Your attention is drawn to the requirements of the attached 'Building Control information note,' where applicable.]

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. For example, some developments may need to secure separate consents in

order to implement their development, such as:

- Fire Safety Certificate and Disability Access Certificate;
- Road Opening Licence, under the Roads Act;
- Industrial Emissions Licence/Integrated Pollution Control licence from EPA;
- Waste Licence;
- Wastewater Discharge Licence;
- Licences issued by the District Court (such as licensing matters relating to intoxicating liquor licences, restaurant certificates, club registration, etc);
- Environmental Health and Public Health codes;
- Gaming licences;
- Archaeological licences under the National Monuments Acts;
- Department of Agriculture, Food and the Marine Licences;
- Service providers connections, etc.