



An  
Bord  
Pleanála

**Board Direction**  
**BD-001333-18**  
**ABP-300322-17**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/05/18 and the replies to a section 132 request and responses from all parties at a subsequent meeting on 11/10/2018.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the zoning provisions of the Laois County Development Plan, the planning history of the site, the pattern of development in the area, the nature, scale, density and layout of the scheme, the Board considered that subject to compliance with the conditions as set out below the proposed development would not injure the residential or visual amenities of the area would not be prejudicial to public health and would be acceptable in terms of pedestrian and traffic safety and would therefore be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that following the responses received the Planning authority, Irish Water and the 1<sup>st</sup> party to the Section 132 request for further information, the concerns raised by the inspector had been addressed in respect of water capacity issues in Portlaoise, subject to compliance with the attached conditions.

## **Conditions**

- 1 Plans and Particulars.
- 2 As per PA Condition 2. Phasing plan to be agreed.
- 3 STD Materials and finishes condition.
- 4 As per PA C 5
- 5 STD Landscaping Plan
- 6 STD Public Lighting
- 7 STD Numbering/naming
- 8 CMP
- 9 C+D Waste Condition
- 10 Urban drainage condition
- 11 Part V

12 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. Details of the application of the terms of the Scheme 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 the proper application of the terms of the Scheme.

**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.

**Board Member**

**Date:** 11/10/2018

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Paul Hyde