



An  
Bord  
Pleanála

**Board Direction**  
**BD-005363-20**  
**ABP-300555-18**

**Re: Amending Board Order**

**S146A of the Planning and Development Act, 2000, as amended**

The submissions on this file were considered at a Board meeting held on 10/03/2020.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of 26<sup>th</sup> March 2018 By amending condition no 7.

The Board decided that it is appropriate to amend its Order dated 26th March 2018 in order to facilitate the permission where the amendment may reasonably be regarded as having been contemplated by either a particular provision of the permission or the terms of the permission which were not expressly provided, or

- (1) the amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission or decision.

It is considered that amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission or decision.

Having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the permission/other matter.

Accordingly the Board hereby amends the above-mentioned decision by amending condition no. 7 as follows in accordance with the provisions of section 146A(1) of the Planning and Development Act, 2000, as amended, as follows:

7. a) The development, including all roads, footpaths, cycle paths, verges, public lighting, open spaces, surface water drains, attenuation infrastructure and all other services, as permitted under this order, and as amended by the conditions of this permission shall be carried out and completed in accordance with the “taking in charge” standards of the planning authority. The areas to be taken in charge, upon completion of the development shall be in accordance with the areas shown on drawing no. PA003.

b) The areas not to be taken in charge, as defined by this condition shall be maintained by a properly constituted private management company , details of which shall be agreed in writing with the planning authority prior to the making available by the developer for occupation any of the houses or duplex units.

**Reason:** In the interests of clarity

**Board Member:** \_\_\_\_\_

**Date:** 11/03/2020

Paul Hyde