



An
Bord
Pleanála

Board Direction
BD-003067-19
ABP-303620-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/05/2019.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning of the site for residential development within the Nenagh Town & Environs Development Plan 2013-2019, the infill nature of the proposed development, and the design and layout proposed scheme; it is considered that, subject to compliance with the conditions set out below, the proposed development would not be detrimental to the residential amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Note: The Board agreed with the Inspector's view that houses 112-119 within Plot D (eight houses in total) should be omitted, requiring the submission of a revised planning application for a housing layout which respects the existing estate layout and in line with the previously-permitted layout in this area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, 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

Reason: In the interest of clarity.
2. Houses numbers 112-119 inclusive within Plot D (eight houses in total), shall be omitted from the proposed development.

Reason: In the interest of protecting the residential amenity, of adjacent properties to the north, from undue levels of overshadowing, due to the proximity of houses numbers 113, 114, 117 and 118 to the mutual boundary with those properties, and in the interest of visual amenity.
3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.
4. The road network serving the proposed development (including turning bays, junctions, parking areas, footpaths and kerbs) shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.
5. No house within Plot A shall be made available for occupation until such time as the roads and footpaths to serve this part of the development have been completed to the written satisfaction of the planning authority.

Reason: In the interest of orderly development and traffic safety.

6. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed house, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development and the visual amenities of the area.

7. Prior to commencement of development, proposals for a numbering scheme shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development.

8. Prior to the making available for occupation of any house within Plot A, a public lighting layout shall be submitted to, and agreed in writing with, the planning authority, and the public lighting shall be installed and operational to the requirements of the planning authority.

Reason: In the interest of orderly development and traffic and pedestrian safety.

9. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

10. Part V

11. Security 1

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 the 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 the Board 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: 17/05/2019

John Connolly