



An
Bord
Pleanála

Board Direction
BD-009354-21
ABP-310698-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/11/2021.

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 'Existing Residential' and 'Residential Phase 2' zonings which applies to the site under the Cavan Town and Environs Development Plan 2014-2020 as varied, under which residential development is permissible, together with the nature and scale of the proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would represent an appropriate form of development, which would not seriously injure the amenities of the area or the amenities of property in the vicinity and which would not result in any road safety or traffic hazard. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

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| 1. | The development shall be carried out and completed 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 |
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	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The internal carriageway within the site shall have a maximum width of 5m and shall incorporate <i>Design Manual for Urban Roads and Streets</i> placemaking principles.</p> <p>Prior to the commencement of development revised drawings shall be submitted which reflect these amendments, for the agreement of the Planning Authority.</p> <p>Reason: In the interests of proper planning and sustainable development.</p>
3.	<p>Houses shall be provided with dedicated storage space in accordance with the recommendations of the <i>Quality Housing for Sustainable Communities</i> guidelines.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>The access to the site from the Rocklands estate shall comply with the requirements of the planning authority, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interests of road and pedestrian safety.</p>
5.	<p>Details of proposed landscaping and boundary treatments, including details of gradient within each rear garden and the public open space, shall be agreed with the Planning Authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity and to protect residential amenity</p>
6.	<p>Public open space shall be provided and laid out in accordance with the Planning Authority's requirements, details of which shall be agreed in writing prior to the commencement of development.</p>

	<p>Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
7.	<p>Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>
8.	<p>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.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p>
9.	<p>Proposals for a naming and numbering scheme for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Thereafter, all estate signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority.</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>
10.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of this development.</p> <p>Reason: In the interest of public health and orderly development.</p>
11.	<p>The proposed development shall make provision for the charging of electrical vehicles. All car parking spaces serving the proposed development shall be provided with electrical connections, to allow for the future provision of future charging points. Details of how it is proposed to comply with these requirements, including details of the design of, and signage for, the electrical charging points (where they are not in the areas to be taken in</p>

	<p>charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of suitable transportation.</p>
12.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall include details of intended construction practice, noise management measures, parking proposals for construction workers on the site and storage of materials and waste within the site.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
13.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
14.	<p>Public lighting shall be provided in accordance with a scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available by the developer for occupation of any house / unit within the relevant phase of the development.</p> <p>Reason: In the interests of amenity and public safety.</p>
15.	<p>Prior to the commencement of any house in the development as permitted, the applicant or any person with an in interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house unit), pursuant to Section 47 of the</p>

	<p>Planning and Development Act, 2000, that restricts all houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
16.	<p>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.</p> <p>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.</p>

Plus:

Planning Authority conditions 9,12,16 and ABPs model condition on Taking in Charge.

Board Member

Terry Ó Niadh
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Date: 03/11/2021