



An
Bord
Pleanála

Board Direction
BD-009563-21
ABP-311126-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/12/2021.

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.

1.0 Reasons and Considerations

Having regard to the residential zoning of the site, the pattern of development in the area and the nature and scale of the proposed development it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Louth County Development Plan 2021-2027, that it would not seriously injure character or visual amenities of the area or the residential amenities of the property in the vicinity, and that it would be acceptable in terms of the safety and convenience of pedestrians and road users. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

2.0 Conditions

- | | |
|----|--|
| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received on the 23 rd of June 2021 except as may otherwise be required in order to comply with the following conditions. |
|----|--|

	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>Proposals for a house naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all signs and apartment numbers shall be provided in accordance with the agreed scheme.</p> <p>Reason: In the interest of urban legibility.</p>
4.	<p>The boundary treatment and landscaping shall be carried out in accordance with the landscaping plan submitted to the Planning Authority on the 23rd of June 2021 and completed prior to the occupation of any residential units hereby permitted. Any planting which fails in the first planting season shall be replaced.</p> <p>Reason: In the interests of visual amenity.</p>
5.	<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.</p> <p>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>
6.	<p>Surface water attenuation and discharge and public lighting 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 public safety.</p>
7.	<p>All flood mitigation measures for the proposed development shall be in accordance with the Flood Risk Assessment dated May 2021 and received by the Planning Authority on the 23rd of June 2021.</p> <p>Reason: In the interest of flood prevention.</p>
8.	<p>The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
9.	<p>The developer shall comply with the requirements of Iarnrod Eireann in relation to works/development in the vicinity of rail lines.</p> <p>Reason: In the interest of safety and the proper planning and sustainable development of the area.</p>
10.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion of the development.</p>

11. 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.

Plus:

1. ABP model Construction Management Plan condition.

2. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials [and for the ongoing operation of these facilities] [within each house plot] shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

3.A minimum of 1 car parking space should be provided with functioning EV charging station/point, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

Board Member



Terry Ó Niadh

Date: 01/12/2021

