



An
Bord
Pleanála

Board Direction
BD-011326-22
ABP-311190-21

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 28/09/2022.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Orders of the 8th day of December 2021 and the 18th day of January 2022 by attaching a condition, as set out below, relating to the provision of an insurance bond or cash security in respect of the reinstatement of the public road, which had been omitted in error from the Board's Order.

The Board decided that a clerical error had occurred.

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 the insertion of a new Condition as follows, in accordance with the provisions of section 146A(1) of the Planning and Development Act 2000, as amended, as follows:

"32. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. 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.

Reason: in the interests of traffic safety and the proper planning and sustainable development of the area."

Board Member:



Date: 28/09/2022

Dave Walsh