

An  
Bord  
Pleanála

**Board Direction**  
**BD-013139-23**  
**ABP-313669-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/08/2023.

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 location of the proposed development adjoining the village of Ballinode, its detailed layout and design and provision of social housing, it is considered that the proposed development would be in accordance with the policies of the current Meath County Development Plan and would not detract from the visual or residential amenities of the area and would be acceptable in terms of public health, flood risk and traffic safety. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

### **1.0 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 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 |
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>(a) The development shall be used for social housing purposes only.</p> <p>(b) Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p><b>Reason:</b> To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
3.	<p>Prior to commencement of development, the developer shall submit a geotechnical report demonstrating the adequacy of the retaining structures to the written satisfaction of the planning authority.</p> <p><b>Reason:</b> In the interest of public safety.</p>
4.	<p>Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Uisce Eireann.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>

6.	<p>(a) The internal 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.</p> <p>(b) Recommendations of the Stage 1/2 Road Safety Audit shall be carried out to the satisfaction of the planning authority.</p> <p>(c) Upon completion of works, a Stage 3 Road Safety Audit shall be completed and submitted to planning authority for written agreement.</p> <p><b>Reason:</b> In the interest of amenity and of traffic and pedestrian safety.</p>
7.	<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 provide details of intended construction practice for the development, including site compound, car and truck parking, management of surface water during construction, hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
8.	<p>Prior to the commencement of development, a Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority for implementation during the construction phase of the development.</p> <p><b>Reason:</b> In the interests of traffic safety.</p>
9.	<p>Public lighting shall be provided in accordance with the Public Lighting Design Report, to the satisfaction of the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p><b>Reason:</b> In the interests of amenity and public safety.</p>
10.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards set out in the "Recommendations for Site Development Works for Housing Areas" issued by the Department of the Environment and Local Government in November 1998, except where</p>

superseded by the planning authority's "Taking in Charge Policy, technical guidance document (WSTGD 2008) and "Storm water Technical Guidance Document 2017" . Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

**Reason:** To ensure that the development is carried out and completed to an acceptable standard of construction.

11. The landscaping scheme shown on Proposed Landscape Layout drg no. PRK/BHS/0921, as submitted to the planning authority shall be carried out within the first planting season following substantial completion of external construction works and shall be permanently retained thereafter.

In addition, prior to the commencement of development, details of the following shall be submitted to the planning authority for written agreement.

- (a) Omission of fencing along the eastern side of the public open space and additional planting along this boundary to strengthen the existing hedgerow,
- (b) Additional planting along the northern and north eastern boundaries of the site, to include native hedgerow and hedgerow tree species.
- (c) Details arrangements for the protection of mature trees and hedgerow along/defining the eastern and western boundaries of the site during construction and permanently thereafter. This shall include details of construction methodology for works occurring within the canopy of all of these trees, to ensure that damage to trees does not occur.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

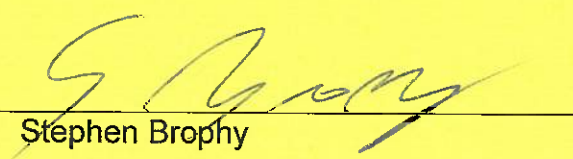
**Reason:** In the interest of residential and visual amenity.

12.	<p>The areas of public open space shown on the lodged plans shall be reserved for such use and shall be contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority.</p> <p><b>Reason:</b> In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.</p>
13.	<p>(a) The recommendations of the Ecological Survey and Appropriate Assessment Screening Report (November 2021), Table 4, shall be carried out in full.</p> <p>(b) Prior to the commencement of development, a detailed programme of works to address invasive species shall be submitted to and agreed in writing with the planning authority.</p> <p><b>Reason:</b> In the interest of biodiversity.</p>
14.	<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><b>Reason:</b> In order to safeguard the [residential] amenities of property in the vicinity.</p>
15.	<p>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.</p> <p><b>Reason:</b> In the interests of visual and residential amenity.</p>
16.	<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 and</p>

maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

Board Member

  
Stephen Brophy

Date: 02/08/2023