

An
Bord
Pleanála

Board Direction
BD-017513-24
ABP-319285-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/09/2024.

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 Louth County Development Plan 2021-2027, Policy Objectives HOU 15, HOU 32 and CLOG 4, and to the *Design Manual for Urban Roads and Streets* (DMURS), it is considered that, subject to compliance with the conditions set out below, the proposed development for residential purposes of an underutilised backland site in an existing urban area would not adversely affect the character or seriously injure the residential amenities of the area or prejudice the safety and convenience of road users.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on 26th January 2024.
Reason: In the interest of clarity.
2. Prior to the commencement of any other site preparation or construction works,

full visibility shall be made available for at least 32.5 metres on either side of the proposed access from a point 2.4 metres back in from the edge of the road carriageway over a height of 1.05 metres above road level, as indicated on the approved site plan, Drawing FSDP/PM/FI/01. These visibility splays shall be permanently retained and no impediment to visibility shall be placed, planted or allowed to remain within the visibility triangle.

Reason: In the interest of traffic safety.

3. 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.

Reason: In the interests of visual and residential amenity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

5. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

6. Site development and building works shall be carried out between the hours of 7:00 and 19:00 Monday to Friday inclusive, between 8.00 and 14:00 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the residential amenities of property in the vicinity.

7. All screening and landscaping works shall be completed within the first planting season following commencement of development in accordance with the approved site plan, Drawing FSDP/PM/FI/01. Any trees and hedging 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

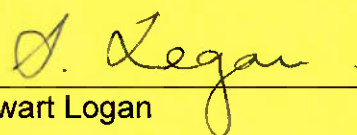
next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity

8. 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. 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 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


Stewart Logan

Date: 19/09/2024