

An
Coimisiún
Pleanála

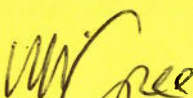
Direction
CD-020803-25
ABP-320879-24

The submissions on this file and the Inspector's report were considered at a meeting held on 23/09/2025.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:


Liam McGree

Date: 30/09/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the site access, the design and roof ridge height of the subject dwelling, along with transportation considerations which were assessed in the parent application register reference 17/258, which established the principle of the subject house and access to this site, and the duration of the permission was extended under register reference EX22/12, it is considered that, subject to compliance with the conditions set out below, the proposal would support Land Use Zoning Objective LUZO-12 of the Offaly County Development Plan 2021-2027 (Established/Non-Conforming uses) and would not seriously injure the residential and visual amenities

of the area and would not devalue property in the vicinity. The proposal would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2.
 - (a) A new native species hedgerow shall be planted at least 2.4 metres back from the road edge and a timber post and rail fence shall be constructed behind the roadside hedgerow.
 - (b) The relocated roadside boundary shall be set back and planted so as to ensure adequate sight lines at the entrance of the subject site and, prior to the occupation of the dwelling, a letter from an indemnified engineer indicating that the relevant sightlines have been provided shall be submitted for the written agreement of the planning authority.
 - (c) A two-metre wide footpath shall be constructed along the front of the subject site and shall be dishd at the proposed entrance. Construction of this footpath shall be at the developer's expense and all works shall be carried out to the satisfaction of the planning authority shall be maintained by the developer, until taken in charge by the planning authority.

Reason: In the interest of traffic safety.

3. 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. Roof colour shall be blue-black, black, dark brown or dark grey in colour only.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4.
 - (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
 - (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system or soakpits.

Reason: In the interest of public health.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. The development hereby permitted shall be carried out and completed at least to the construction standards as 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.

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

8. 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 amenity.

9. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.

Reason: In order to safeguard the [residential] amenities of property in the vicinity.

11. The site shall be landscaped, using only indigenous deciduous trees and hedging species in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the establishment of a hedgerow along all side and rear boundaries of the site. Any plants, trees or 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

12. 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 Coimisiún 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.