

An
Coimisiún
Pleanála

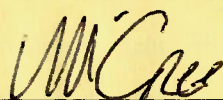
Direction
CD-020533-25
ABP-320961-24

The submissions on this file and the Inspector's report were considered at a meeting held on 22/08/2025.

The Commission treated this case pursuant to provisions of section 34(5) in relation to a Condition of permission attached by the Board (now the Commission) under planning authority reference 22/660 (ABP 314951-22). The Commission determined that the amount of security off €200,000 is reasonable in respect of the permission granted, based on the reasons and considerations as set out in the Draft Order below.

Planning

Commissioner:


Liam McGree

Date: 25/08/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission had regard to:

- (a) Section 34(5) of the Planning and development Act 2000 as amended,
- (b) the nature and extent of works covered by condition 21 of planning decision ref: ABP 314951-22, which relate to the whole site as outlined in red in the submitted application details, and

- (c) the Development Management Guidelines for Planning Authorities, published by the Department of the Environment, Heritage and Local Government (2007 and 2020).

Having regard to the foregoing, the Commission determined that security in the amount of €200,000, to ensure satisfactory completion of the proposed development, was appropriate, notwithstanding any previously submitted security regarding separate grants of planning permission. The Commission noted that the developer had not previously appealed the amount of the security required by the planning authority at the time of its decision to grant planning permission for application ref: 22/660 and determined that any refund of previously submitted securities is a matter between the developer and the planning authority, which is not immediately relevant to completion of the development which is the subject of planning permission ref: 22/660 (ABP 314951-22).

Condition 21 as determined:

Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion, and maintenance until taken in charge by the local authority, of roads, sewers, watermains, drains, car parks, open spaces 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 security to be lodged shall be as follows –

- (a) an approved insurance company bond in the sum of € 200,000 (two hundred thousand euro), or
- (b) a cash sum of €200,000 (two hundred thousand euro) to be applied by the planning authority at its absolute discretion if such services are not provided to its satisfaction, or

(c) such other security for the sum of €200,000 as may be specified in writing by the planning authority.

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