

Planning and Development Acts 2000 to 2020

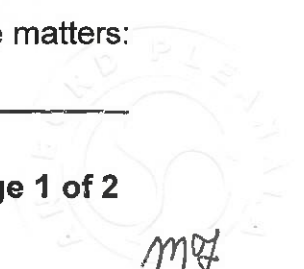
Planning Authority: Carlow County Council

Planning Register Reference Number: PL 06/882

WHEREAS by Order dated the 16th day of January, 2007, Carlow County Council, under planning register reference number PL 06/882, granted subject to conditions a permission to Byrne and Byrne Limited care of Raymund Kelly Architects of 80 South Main Street, Wexford, County Wexford for development comprising construction of 130 number dwelling, one number creche and 20 number serviced sites and an element of inner relief road to facilitate the proposed development and all associated site works with connection to existing public services at Mortarstown, County Carlow:

AND WHEREAS, Byrne and Byrne Limited requested, on the 30th day of December, 2020, a determination from the Board with regard to financial conditions attached to that Order:

AND WHEREAS, having regard to the provisions of section 34(5) of the Planning and Development Act, 2000, as amended, it is considered that the conditions attached to that permission do not provide for the points of detail which are the subject of this referral to be agreed between the planning authority and the person carrying out the development and, therefore, do not provide for the referral of the matter to the Board for determination in the event that the planning authority and that person cannot agree on the matters:



NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by subsection (1) (b) of section 138 of the Planning and Development Act, 2000, and based on the Reasons and Considerations set out below, has decided to dismiss the said referral.

Reasons and Considerations

The Board is satisfied that, in the particular circumstances, the referral should not be further considered by it having regard to the nature of the referral and planning register reference number PL 06/882, which in its opinion is relevant.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 4th day of Nov. 2021.