

Planning and Development Acts 2000 to 2021

Planning Authority: Offaly County Council

Planning Register Reference Number: PL2/21/213

Appeal by Eileen Moore care of Michael Lucey of “The Lodge”, Caheralla Cross, Ennis, County Clare against the decision made on the 29th day of July, 2021 by Offaly County Council to grant subject to conditions an outline permission to Barbara Murphy care of Keyes Consulting Limited of O’Moore Street, Tullamore, County Offaly in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of a two-storey dwelling with a new entrance and all associated site works, at Clonminch Avenue, Tullamore, County Offaly.

Decision

GRANT outline permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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.

Reasons and Considerations

Having regard to the provisions of Offaly County Development Plan 2021-2027, including Chapter 13 'Development Management Standards', and to the nature, design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development, subject to detailed design, would not seriously injure the visual or residential amenities of the area, or of property in the vicinity, and would provide an acceptable standard of amenity for future residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This outline permission relates solely to the principle of a detached dwelling type development on this site, and it shall not be construed as giving consent to the following matters:
 - (a) The overall site layout of the development.
 - (b) The vehicular access.

Reason: In the interest of clarity.

2. The plans and particulars to be submitted to the planning authority by way of a separate application for permission consequent on the grant of outline permission shall include the following:
 - (a) a comprehensive site survey, to a scale of not less than 1:500, including contours at intervals of 0.5 metres, showing all existing trees, boundaries and other features,
 - (b) a site layout plan to a scale of not less than 1:500 showing the layout of the house, driveways and drainage, water and wastewater services,
 - (c) the finished ground floor level of the house by reference to existing site levels and road level at the proposed entrance,
 - (d) proposals for the landscaping of the site, including planting,
 - (e) proposals for boundary treatment(s),
 - (f) proposals to protect the privacy and amenity of existing adjacent properties,
 - (g) design proposals which have regard to the design and character of the built environment in the vicinity, and
 - (h) details of external finishes.

Reason: To enable the application for permission consequent to be fully assessed.

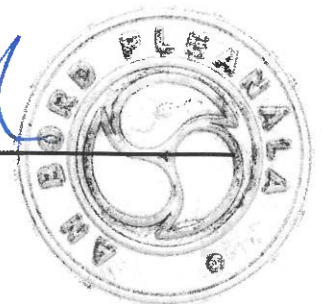
3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 Bord 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.



Dave Walsh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this *4th* day of *January* 2022.