

Planning and Development Acts 2000 to 2022

Planning Authority: Laois County Council

Planning Register Reference Number: 22/171

Appeal by Anita Honner of O'Moore Street, Mountmellick, County Laois against the decision made on the 24th day of January, 2023 by Laois County Council to grant subject to conditions a permission to Michael McCrohan care of Thor Design and Management of Ballindarra, Birr, County Offaly in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construct two number two-bed two-storey dwellings and one number one-bed two-storey apartment as an infill streetscape development and amendments to site boundaries of number 2 O'Moore Street, Mountmellick and all ancillary works and services O'Moore Street, Mountmellick, County Laois. The proposed development was revised by further public notices received by the planning authority on the 21st day of December 2022.

Decision

GRANT 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.

Reasons and Considerations

The proposed development, which would replace former terraced dwellings with new dwellings, would be compatible with the Town Centre zoning, contribute to the regeneration of underutilised derelict town centre lands, contribute to achieving the target of 30% of all new housing on zoned serviced lands, contribute to the achievement of sustainable compact development, remove a gap in a prominent urban terrace and contribute to an improvement in the amenities of the area, subject to compliance with the conditions set out below. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 the 16th day of November 2022, 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. Details of the materials, colours and textures of all the external finishes, including window reveals, window cills, roof coverings, gutters and rainwater goods to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Finishes shall respect the traditional architectural finishes along the streetscape including the walls shall be smooth render and flush eaves.

Reason: In the interest of visual amenity.

3. The roof design shall be altered to as to remove the asymmetric large roof element proposed. The revised roof design shall include an A-roof element to the front presenting onto the street to match the roof pitch and building width covered with the predominant roof profile of the existing streetscape (noting that this does not require that the eaves levels need to be the same) and the remainder of the building shall be covered with a second pitched roof or a flat roof covering. Details of the revised roof design shall be submitted to and agreed in writing with the planning authority prior to commencement of the development and in default of agreement the matter shall be referred to An Bord Pleanála for determination.

Reason: To integrate appropriately with the existing architectural form along the streetscape.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.



5. Detailed proposals for the future facilitation of the installation of EV charging points/stations for the car spaces shown within the redline boundary of the site layout plan shall be submitted to and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

6. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann (formerly Irish Water).

Reason: In the interest of public health.

7. Arrangements the disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of orderly development and public health.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

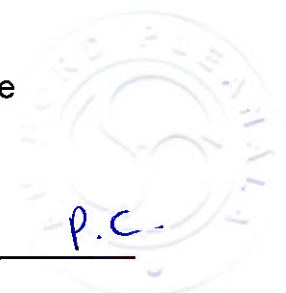


9. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

10. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities, for each housing and apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.
- (b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.



11. 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.

Patricia Calleary

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

Dated this *14* day of *February* 2024.

