

An  
Bord  
Pleanála

Board Order  
ABP-317365-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Carlow County Council**

**Planning Register Reference Number: 22/196**

**Appeal** by John Clerkin of Hay Market, Carlow Town, County Carlow and by Marissa Kelleher of Joan's Hair Salon, Number 8 Centaur Street, Carlow against the decision made on the 26<sup>th</sup> day of May, 2023 by Carlow County Council to grant subject to conditions a permission to JC Brenco Limited care of Planning and Design Services of Carlow Gateway Business Centre, Athy Road, Carlow, County Carlow in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The demolition of an existing building used as a store, permission for the construction of a two-storey dwelling, connection to services and all associated site works, all at 7 Centaur Street, Carlow.

### **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

Having regard to the Carlow County Development Plan 2022 - 2028, Policy CGR.P2 - to facilitate the delivery of compact and urban regeneration in towns by consolidating the built footprint through development of infill sites, Policy TV.P1 - to actively support proposals that encourage mixed use town centres including residential schemes, the re-use of vacant/underutilised buildings and sites into residential use in order to revitalise the social and physical fabric of urban centres in the County, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities, character or built heritage of the area or residential amenity of property in the vicinity, and 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 submitted on the 10<sup>th</sup> day of May, 2023, 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. The following shall be implemented:

- (a) The existing stone wall to the rear of the site (northern boundary) shall be retained;
- (b) Boundary treatment along the side boundary (western boundary) to the rear of the dwelling shall be a 1.8-metre-high block wall, capped and rendered;
- (c) The existing boundary wall along the side boundary (eastern boundary) to the rear of the dwelling shall be retained.

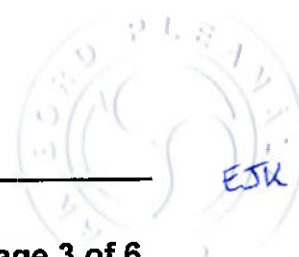
**Reason:** In the interest of orderly development.

3. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be as submitted with the application unless otherwise agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Any relocation of utility infrastructure shall be agreed with the relevant utility provider. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.



5. Surface water runoff shall be discharged on site and shall not be allowed to discharge onto the public road or any adjoining properties.

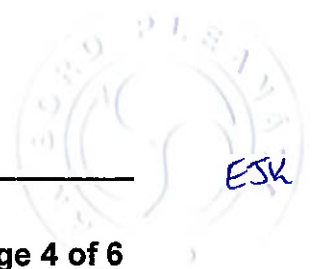
**Reason:** In the interest of public health and surface water management

6. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann prior to commencement of development.

**Reason:** In the interests of public health.

7. Prior to the commencement of development, the developer or any agent acting on their behalf, shall prepare a Resource Waste Management Plan (RWMP), as set out in the EPA'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 and these details shall be placed on the file and retained as part of the public record. The RWMP shall be submitted to, and agreed in writing with, the planning authority 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.



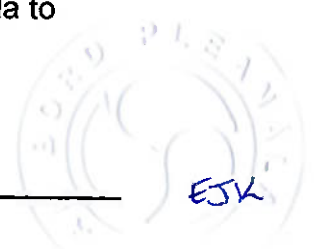
8. The construction of the development shall be managed in accordance with a Demolition and Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of amenities, public health, and safety.

9. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 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.

10. 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.

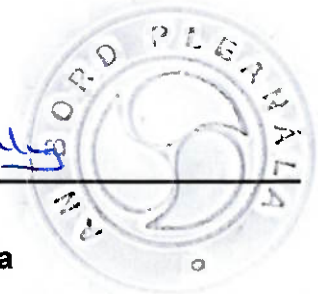
*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this *23<sup>rd</sup>* day of *October*, 2023.