

Planning and Development Acts 2000 to 2022

Planning Authority: Offaly County Council

Planning Register Reference Number: 23/159

Appeal by Sragh and Castlevew Residents care of Sean Lucy and Associates Limited of Ballinderry Heights, Mullingar, County Westmeath against the decision made on the 2nd day of June, 2023 by Offaly County Council to grant subject to conditions a permission to DCAN Limited care of D. Clear Construction Limited of Moorerow, Gaybrook, County Westmeath in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of the following completed works, (a) a privately controlled, gated, service laneway with new rear boundary walls including fire access gateways to the rear of existing units 01 to 09 and between existing units 07 to 08, (b) installation of support pillars to the original, shared rear boundary walls of units 01 to 09, (c) partial demolition and minor alterations of rear boundary walls to existing properties 01 to 14. Development also includes planning permission for the continuation of existing privately controlled, gated service laneway at a reduced width of 1.5 metres, with proposed new rear boundary walls including fire access gates to existing dwelling 10 to 13 and all associated site works, all at 1 to 14 Lock House View, Tullamore, County Offaly.

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

It is considered that, the proposed retention of a service laneway for rear access to existing dwellings at Lock House View, subject to compliance with the conditions set out below, would improve the residential amenities of the properties accessing the laneway and obviate the need to cross multiple adjoining gardens to gain access. The control of access to the laneway via gateways would ensure the security of the laneway and of all properties which bound it. The proposed retention of the development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

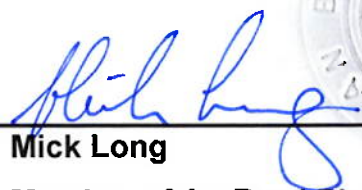
2. The laneway shall be used as an access to the rear of the dwellings for the owners and residents of Numbers 1 to 13 Lock House View and other parties by agreement of the owners/residents only and for no other purpose and shall be secured against general public access. No change in the management of access arrangements from that specified in this planning permission shall take place without the prior written agreement of the planning authority.

Reason: In the interest of orderly development.

3. Within three months of the date of this Order, the applicant shall provide a drop kerb on the existing footpath adjacent to the access gates to accommodate vehicular access to the laneway.

No surface water shall be allowed to discharge onto the existing roads/footpaths or adjoining private dwellings from the development. Surface water shall be accommodated by soakaways where required within the site. Soakaways are to be designed, installed and maintained in accordance with BRE Digest 365.

Reason: In the interest of orderly development.



Mick Long

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

Dated this 27th day of March 2024.