



An
Bord
Pleanála

Board Order
ABP-318190-23

Planning and Development Acts 2000 to 2022

Planning Authority: Westmeath County Council

Planning Register Reference Number: 2360231.

Appeal by Alan Cuniffe of Mount Prospect, County Roscommon against the decision made on the 11th day of September, 2023 by Westmeath County Council to refuse permission.

Proposed Development: Sub-division of existing site, construction of four number detached two-storey houses, new vehicular entrances off Retreat Road (for Units 1 and 2) and Retreat Ridge (for Units 3 and 4) and alterations to existing site boundaries, landscaping, connection to services and all associated site works, all at Lissoy, Retreat Road, Athlone, County Westmeath.

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 grounds of appeal, the reason for refusal, the designation of Athlone as a regional growth centre, the established residential zoning objective, the accessible location of the development site 600 metres from the town centre accessible to public transport (A1 bus route) and social infrastructure, the policy framework provided by the Westmeath County Development Plan 2021-2027 and the Athlone Town Development Plan 2014-2020, and the guidance provided by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024), it is considered, subject to compliance with the conditions set out below, that the proposed development would provide a reasonable level of residential amenity on site, would not have an adverse impact on existing residential amenities and would otherwise 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 An Bord Pleanála on the 9th day of October, 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. Prior to the commencement of development, the developer is requested to submit, for the written agreement of the planning authority, revised drawings providing for the following modifications:

The first-floor window openings in the north gable elevation of Unit 3 shall be omitted and the voids shall be replaced with a render finish to match the overall material finish of the gable elevation of the subject dwelling.

Reason: In the interest of residential amenity.

3. The developer shall enter into water and wastewater connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

5. Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 to 1400 hours 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.

7. 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 within each house plot 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.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

8. The developer shall adhere to the recommendations of the Road Engineering Section of the planning authority. The developer shall also make the following modification to the car parking layout shown on Site Layout Drawing, Ref 41 16.30 — P-4, Car Movements and Car Parking Site Layout, submitted to an Bord Pleanála on the 9th day of October, 2023:

- the maximum provision of one car parking space per residential unit

Reason: In the interest of road safety and in the interest of sustainable transport mode shift.

9. 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 the 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 the Board 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.


Liam Bergin

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

Dated this 22nd day of May 2024.