

An  
Bord  
Pleanála

Board Order  
ABP-318697-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 23/60330**

**Appeal** by Michael Goode care of Emma Pillion Planning of Fardrum, Athlone, County Westmeath against the decision made on the 21<sup>st</sup> day of November, 2023 by Westmeath County Council to refuse permission in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of two number semi-detached dwelling houses as a single block, connection to public services and all associated site works; all at Auburn, Dublin 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 infill nature and residential zoning for the site, to national policy and the provisions of the Westmeath County Development Plan 2021-2027 relating to infill residential development, to the elevation of the site relative to adjoining residential properties, and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for an acceptable type and density of residential development, would not seriously injure the existing character of the area or the residential amenities of property in the vicinity, and would 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, 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 written agreed particulars.

**Reason:** In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Uisce Eireann.

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

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

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

5. A footpath shall be constructed along the site frontage for its full width in accordance with the requirements of the planning authority.

**Reason:** In the interest of public safety and the proper planning and sustainable development of the area.

6. All service cables associated with the proposed development shall be laid underground within the site, to the satisfaction of the planning authority.


**Reason:** In the interests of orderly development and visual amenity.

7. 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.

8. 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.

  
Mary Henchy

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

Dated this 24<sup>th</sup> day of June 2024.