

An
Coimisiún
Pleanála

Commission Order
ABP-322665-25

Planning and Development Act 2000, as amended

Planning Authority: Offaly County Council

Planning Register Reference Number: 2460301

Appeal by Ian Lee of Collins Lane, Tullamore, County Offaly against the decision made on the 9th day of May 2025, by Offaly County Council to grant, subject to conditions, a permission to Jithin Sabu and Veena Annu Jacob care of David Ledwith of 30 Annamoe Terrace, Cabra, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for (i) two number two and a half storey four bedroom detached dwellings on a site to the rear of the existing dwelling on site; (ii) an extension to the existing garage building on site to create a home office; (iii) all associated drainage works, landscaping, boundary treatments, access lane upgrade works and site works all at Bienvenu Collins Lane, Tullamore, County Offaly as revised by further public notices received by the planning authority on the 14th day of April 2025.

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 nature and scale of the proposed development, the established residential use on the site, the 'Existing Residential' zoning objective as set out in the Offaly County Development Plan 2021-2027, and the policies, objectives and design standards in the development plan including DMS-01 relating to Development Capacity and DMS-10 relating to Urban Infill and Brownfield Development, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable form of development on this serviced, infill location, would be acceptable in terms of residential amenity for future residents and traffic and pedestrian safety, and would not adversely impact on the visual or residential amenities of the area. 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 31st day of January 2025, the 5th day of March 2025 and the 3rd day of April 2025, and received as part of the appeal response by An Coimisiún Pleanála on the 1st day of July 2025, 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 drawings received by An Coimisiún Pleanála on the 1st day of July 2025, as part of the appeal response shall be provided to the planning authority for placement on the public file.

Reason: In the interest of public information.

3. The replacement garage and home office extension shall have the same finish floor level as the existing garage and shall not be modified in any way without the prior written consent of the planning authority.

Reason: To reduce the visual impact of the proposed house in the interest of amenity.

4. The replacement garage and proposed home office extension shall not be used for human habitation, or any commercial activity or for any other purpose than a purpose incidental to the enjoyment of the dwelling.

Reason: In the interests of proper planning and sustainable development of the area.

5. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

6. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

7. The flat roof on the first-floor extension of each dwelling shall not be accessible other than for maintenance reasons.

Reason: In the interest of residential amenity.

8. 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 and to ensure an appropriate high standard of development.

9. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and visual amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 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.

11. Prior to commencement of works, the developer shall submit to, and agree in writing with, the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures, and off-site disposal of construction/demolition waste.

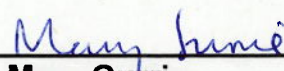
Reason: In the interest of public safety and amenity.

12. Proposals for a house numbering scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all house numbers shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility.

13. 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 Coimisiún 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 Gurrie

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 20 day of November 2025.