



An  
Bord  
Pleanála

## Board Order

17.RP.2145

---

### Planning and Development Acts 2000 to 2017

#### Planning Authority: Meath County Council

#### Planning Register Reference Numbers: SA/100361 and LB/160136

**WHEREAS** by order dated the 24<sup>th</sup> day of February, 2011, Meath County Council, under planning register reference number SA/100361, granted subject to conditions a permission to Loughcourt Developments Limited care of Paul Carroll and Associates of Brookfield House, Athlumney, Navan, County Meath for development comprising construction of 13 number residential units, four number retail units and four number office units at Donacarney Great, Donacarney, County Meath, and condition number 42 attached to that permission required the developer, prior to commencement of development, to lodge with the planning authority a cash deposit of €84,714, a bond of an insurance company/bank in the form of the current Meath County Council draft bond, or other security to secure the satisfactory completion and maintenance of services (including maintenance of services until taking-in-charge by the authority) and the condition required that the form and amount of the security was to be agreed between the planning authority and the developer, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development, and that if the amount of security required by this condition had not been lodged with the planning authority within 12 months of the date of this decision, the amount required shall be adjusted in accordance with an increase in the House

Building Cost Index, which occurs between the date of this decision and the date on which the condition is satisfied:

**AND WHEREAS** by order dated the 12<sup>th</sup> day of April, 2016, Meath County Council, under planning register reference number LB/160136, granted permission for an extension of duration of that permission subject to one condition, which required the developer to lodge with the planning authority a cash deposit of €84,714, as a security for satisfactory completion and maintenance until taken in charge by the Council of roads, footpaths, watermains, sewers, drains, public lighting, open space, landscaping and any other services required with the development:

**AND WHEREAS** the developer and the planning authority failed to agree on the application of the terms of this condition and the matter was referred by Urban Life Limited, the owners of the site, to An Bord Pleanála on the 8<sup>th</sup> day of March, 2017 for determination, pursuant to section 34(5) of the Planning and Development Act, 2000, as amended:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and for the Reasons and Considerations set out below, hereby determines that another form of security, such as a bond from an insurance company, is allowable in lieu of a cash deposit in satisfaction of the requirement for security for completion and maintenance of the development under condition number 1 of planning register reference number LB/160136.

