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Comhairle Contae Lú
Louth County Council

Ms. Catherine Alison
Catherine Allison & Co.
Solicitors
6 Roden Place
Dundalk

15th July 2025

Your ref: CA/AF/MCP0140083
Our Ref: UD /25/089

Re: McParland Bros Builders Ltd
Development at Bellfield, Haggardstown, Dundalk
Planning 23/64 and ABP-316990-23

Dear Ms. Allison,

Thank you for your email of 7th July which included letter, dated 2nd July.
I have reviewed the contents and discussed this matter with the Management Team .

You correctly point out that the Council and your client agreed that the build out of this development would be carried out in two phases. This relates to the location, number and type of residential units/buildings to be constructed initially, thus minimising disruption to the occupants of these units during the construction of phase 2. However, you'll also note that there is no reference to bond payments in any 'phasing' correspondence with Louth CoCo and that the notification of decision by the Council to grant permission (dated 6th April 2023) included a reference (LCC condition #11) that the full bond in the amount of €603,900 is to be paid. The planning approval from An Bord Pleanála ref ABP 23-316990-23 (now An Coimisiún Pleanála) includes condition #20 which states that the bond shall be payable prior to commencement.

As the bond condition applies to the planning permission, and not the phasing of the planning permission, the full sum is due.

Louth County Council's bond policy (attached) is for the full amount of the bond to be invoiced and be payable based on the relevant planning approval. The initial bond payment is calculated on the basis of 100% of the first 100no. units and 50% towards the remaining units, and the balance being paid as part of an agreed payment plan. This calculates as €466,950 in bond due [made up of: (100 x

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Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome
Féach foláirimh faoi Lú ón gComhairle ag www.mapalerter.ie/Louth
View Council alerts for Louth at www.mapalerter.ie/Louth

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€3,300 = €330,000) + (83 x €1,650 = €136,950)], with a remaining balance of €136,950 which can be subject to an agreed payment plan.

If this is not to your client's satisfaction, you may wish to invoke Condition 20 of the ABP316990-23 decision and refer the matter to An Coimisiun Pleanala for determination.

Your Sincerely



Thomas McEvoy
Director of Services
Louth County Council



Development Levy – Bond Policy

1. Background

When granting permission for housing developments a Bond Condition is included to provide for the satisfactory completion of the development. Louth County Council only accept Cash Bonds save the following two circumstances.

- (1) If the permission was granted by An Bord Pleanála on appeal.
or
- (2) If the permission was linked to a parent permission which allowed for the submission of a paper bond.

If those two exceptional circumstances Louth County Council will only accept a paper bond (Time Unlimited) in accordance with the Council standard Bond wording (as per Circular Letter PL 11/2013 (attached)).

2. Consideration & Agreement

Time Limited (Paper) Bonds will **not be** accepted by Louth County Council in any circumstance. It is considered that the wording of the time limited bond allows for ambiguity, establishing exactly when the bond would expire is unclear; that the Certificate of Satisfactory Completion did not accord with the Council's standard Taking In Charge procedure and because of the above the Bond would not provide the Council with adequate accessible security in the event of default.

The Planning Authority will continue to include a Cash Bond Only by way of Condition. Louth County Council's Policy is to only accept Cash Bonds.

An Bord Pleanála is to be advised that it is the Policy of Louth County Council to no longer accept Paper Bonds in any circumstances and request that they amend their standard Bond condition to a Cash Only Bond when dealing with Louth County Council cases.

The **full amount** of the Bond will be invoiced for the entire planning approval and the full amount will be due for payment on commencement of the development regardless of the number of units referenced in the commencement notice.

It is agreed that Finance can accept the payment of a bond on a phased basis as outlined below. Details of the development phasing and a map showing same to be submitted with the Bond:

- Developments of 1-100 units - The bond must be paid in full on receipt of Invoice and prior to commencement of development.
- Developments of 101 plus units - The bond must be paid for the first 100 units plus 50% of the Bond for remaining units in the planning approval up front on receipt of Invoice and prior to commencement of development. Plus, a payment plan of monthly payments with the balance of the bond for the full planning Permission to be cleared within a 12-month period.

This Policy is to be strictly adhered to

Chief Executive



Date: 15/11/2023

Director of Planning



Date: 15/11/2023

Director of Finance



Date: 15/11/2023

