



An
Bord
Pleanála

Board Direction
PL09 248507

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22nd January 2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the location of the site on town centre zoned lands in the Athgarvan Town Plan and to the development standards in the Kildare County Development Plan 2017-2023, it is considered that subject to compliance with conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity and would not constitute a traffic hazard. 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 submitted the 22nd February 2017 and revised public notices received 22nd March 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed 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. Details of the materials, colours and textures of all the external finishes to the proposed houses 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. The developer shall comply with the requirements of the planning authority with respect to off-site parking, site entrance details, signage, naming of development and road markings which shall be ascertained and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of traffic safety.

4. Prior to commencement of development, a revised site layout plan with details of the following shall be submitted to, and agreed in writing with the planning authority:

(a) Relocate the footway and the indented parking along the L2032, so that the sightline at the entrance to the new estate is not obscured by vehicles parked in the bays.

(b) On the R416 the new indented parking area shall be moved, so that it is a minimum of 15 metres from the approach to the new signal heads.

Reason: In the interest of traffic and pedestrian safety.

5. Prior to commencement of development, details of the following shall be submitted to, and agreed in writing with the planning authority:

(a) A detailed design for the proposed refurbishment of the existing traffic signals (at the junction between the L2023 and R416), the design shall include a new pedestrian crossing for the Western Arm of the Athgarvan cross roads.

(b) Details of the design, implementation, costing and phasing of these works. All installations shall be connected to Kildare County

Council's Traffic Management Centre. The cost of the design and implementation of these works shall be at the applicants' expense.

- (c) The agreed new area of footway, junction and signal refurbishment shall be constructed and implemented prior to the occupation of the development.

Reason: In the interest of pedestrian and vehicular safety.

- 6. Prior to commencement of development, details of the following shall be submitted to, and agreed in writing with the planning authority:

- (a) Details for an extension of the footway along the south side of the L2032 carriageway to the Athgarvan cross roads. A minimum 2 metres wide footpath shall be provided from the development to the junction with the R416 Road and shall be constructed and implemented prior to the occupation of the development.

Reason: In the interest of pedestrian safety.

- 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 house of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

- 8. Prior to commencement of development, details of the following shall be submitted to, and agreed in writing with the planning authority:

- (i) A hard landscaping plan with delineation and specification of site boundary along the access from the public road, other site boundary details including the entrance finishes.
- (ii) A soft landscaping plan incorporating native/indigenous species.

Reason: In the interest of visual amenity.

9. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

10. The developer shall pay to the planning authority a financial contribution respect of public infrastructure and facilities benefitting 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 developers 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.

Board Member

Date: 22/01/2018

Terry O'Niadh