



An
Bord
Pleanála

Board Direction
BD-000704-18
ABP-301326-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/07/2018.

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 provisions of the Kildare County Development Plan 2017 – 2023, the nature and scale of the proposed development, and the suitability of the screening of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be seriously injurious to the visual amenities of the area, and would be acceptable in terms of traffic safety and convenience. Therefore, the proposed development 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 as amended by the further plans and particulars submitted on the 21st day of February 2018, 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 construction of the permitted development the applicant shall set back the hedgerow to the north of the existing entrance to provide the required sight visibility in accordance with details submitted to the planning authority on the 21st February 2018. The sightlines shall be maintained by the applicant.

Reason: In the interests of road safety.

3. The development shall be used for agricultural purposes only and shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming, whether or not such use might otherwise constitute exempted development.

Reason: In the interest of orderly development and the amenities of the area.

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

Reason: To ensure adequate servicing of the development, and to prevent pollution.

5. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

6. The roof and side panels of the structure shall be a dark green colour with a matt finish.

Reason: In the interest of visual amenity.

7. Details of road signage, warning the public of the entrance and of proposals for construction traffic management at the entrance, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

8. Existing roadside drainage shall not be impaired and the existing recessed vehicular entrance area shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off. Details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To prevent flooding of the public road and in the interest of amenity and traffic safety.

9. Prior to commencement of development, the developer shall carry out a detailed pre-development survey of the roadside and submit this survey to the planning authority for written agreement. The survey shall include a photographic record and structural condition of the road for 25 metres each side of the entrance. A post development survey containing information on the above parameters shall be submitted to the planning authority within two months of works completion date. The developer shall carry out any works deemed necessary by the planning authority once the surveys are complete.

Reason: In the interest of orderly development.

10. 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.

Board Member

Date: 17/07/2018

Paul Hyde