



An
Bord
Pleanála

Board Direction
BD-004249-19
ABP-304777-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/10/2019.

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 planning history associated with the subject site, to the pattern of existing and permitted development in the area, to the provisions of the Kildare County Development Plan 2017-2023, and to the layout and design as submitted in support of the first party appeal, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential of property in the vicinity or of future occupants of the development or the visual amenities of the area, would provide an appropriate level of development for the village of Straffan, with a suitable mx of dwelling units and would be acceptable in terms of traffic safety and convenience. 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 to An Bord Pleanála on the 26th day of June, 2019, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permissions granted under planning register reference number 10/673, as extended under planning register reference number 16/6, and as amended by planning register reference number 17/565.

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

3. The open spaces shall be developed for, and devoted to, public use, in accordance with the details submitted to An Bord Pleanála on the 26th day of June, 2019. The public open space shall be completed and fully landscaped before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer.

Reason: In order to ensure the development of the public open space areas, and their continued use for this purpose.

4. 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. Roof colour shall be blue-black, black, dark brown or dark grey in colour only.

Reason: In the interest of visual amenity.

5. a. Prior to commencement of development the developer shall enter into water and waste water connection agreements with Irish Water.
- b. Drainage arrangements, including the attenuation and 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.

6. 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 interests of visual and residential amenity.

7. Internroad1

8. All of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: in the interest of sustainable transportation.

9. Standard Part V

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended.

10. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion of roads, sewers, watermains, drains, car parks, open spaces and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The bond shall include provision for the protection of trees during the course of development. The security to be lodged shall be as follows -
- (a) an approved insurance company bond in an amount to be agreed with the Planning Authority prior to the commencement of any development on site
 - (b) a cash sum, amount to be agreed with the Planning Authority prior to the commencement of any development on site, to be applied by the planning authority at its absolute discretion if such services are not provided to its satisfaction, or
 - (c) such other security as may be accepted in writing by the planning authority.

Reason: To ensure the satisfactory completion of the development.

11. 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 include a sum to be paid in lieu of open space provision towards the cost of amenity works in the area based on a shortfall in the proposed development.

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: 11/10/2019

Terry Prendergast