



An  
Bord  
Pleanála

**Board Direction**  
**BD-011997-23**  
**ABP-312256-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/04/2023.

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**

#### **1.1. Having regard to:**

- a) The residential zoning on the site and the policies and objectives of the Kildare County Development Plan 2017- 2023,
- b) The nature, location and extent of the proposed development and the established character and pattern of development in the vicinity of the site,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would be acceptable in terms of traffic safety and convenience and would be in accordance with the provisions of the Kildare County Development Plan and with the proper planning and sustainable development of the area.

### **2.0 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
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	Reason: In the interest of amenity and of traffic and pedestrian safety.
4.	<p>Prior to commencement of development, land required by the planning authority for road improvement on the northern boundary of the site (as indicated in the lodged documentation) shall be reserved free from development and shall be marked out on site and finished in consultation with the planning authority.</p> <p>The developer shall arrange for the transfer of lands and a set back from the boundary to construct the road as indicated on Drwg NRB-RFI-001.</p> <p>Reason: In order to prevent development on lands which may be required for future road improvement.</p>
5.	<p>The landscaping scheme shown on the Landscape Masterplan as submitted to the planning authority on the 30<sup>th</sup> of April 2022 shall be amended to reflect the design and layout in Drwg No. 5104-03-102. Landscaping shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>In addition to the proposals in the submitted scheme, the following shall be carried out:</p> <ul style="list-style-type: none"> <li>• Proposals for the planting scheme along the FloorAwall shall include native species and planting shall be completed before the occupation of any residential units.</li> <li>• Proposals for temporary landscaping for the area required for the Road Reservation.</li> </ul> <p>All planting shall be of a native species and shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced</p>

	<p>development works and consult with the Planning Authority where necessary.</p> <p>(c) undertake the works required by the Planning Authority, including, the preservation of material in situ, landscaping, temporary fencing, signage information etc prior to the occupation of any property.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
9.	<p>The applicant or developer shall enter into water wastewater connection agreement(s) with Uisce Eireann, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
10.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
11.	<p>Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p>

	<p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
15.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.</p>
16.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p>