



An
Bord
Pleanála

Board Direction
BD-012356-23
ABP-313008-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/06/2023.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below that the planning authority be directed, as follows:

To **AMEND** Condition No.9 as follows for the reasons and conditions set out hereunder:

9. Prior to the commencement of any works on the site, the following details shall be submitted to and agreed with the planning authority;

- a) A revised site layout plan that clearly shows proposed vehicular, pedestrian and cycle links associated with Roads No. 1 and 4 continued to the eastern and southern site boundaries, respectively (as outlined in red).
- b) A "Taking in Charge" drawing/plan shall be submitted which correlates with the revised site layout plan (under point (a), above) and identifies Road Nos. 1 and 4 to be taken in charge by the planning authority for its full extent up to and terminating right onto the eastern and southern site boundaries, respectively.
- c) In conjunction with a and b above, a revised site layout plan that clearly shows the utilities infrastructure brought up to the site boundaries with adjoining lands to the south of the development, in conjunction with Roads No 1 and 4.

Reason: In the interest of proper planning and sustainable development and ensure sufficient permeability between the site and surrounding lands.

Reasons and Considerations (1):

It is considered that the alteration to Condition No.9 is necessary to ensure future unrestricted permeability between the subject site and the residential zoned lands adjoining to the site.

To **AMEND** Condition No.35 as follows for the reasons and conditions set out hereunder:

The proposed development shall not commence until the required network (water and wastewater) upgrades (IW CDS 21002798 Confirmation of Feasibility 18.06.02) have been sanctioned by Irish Water and the wayleave for the wastewater sewer outfall and watermain through the adjacent third party property to the west has been legally executed to the satisfaction of Irish Water and Kildare County Council Water Services Department. No units shall be occupied until the required network (water and wastewater) upgrades are completed and commissioned to the satisfaction of Irish Water and Kildare County Council Water Services Department. The required network upgrades should make allowance for the connection of Phase 2 of the development and the approved houses on the adjacent Third-Party property to the west (under KCC Planning Ref. 17/1271 and/or any subsequent planning permission relating thereto) and the adjoining Third party zoned residential plans to the south thereof and to the south of the development hereby approved, were deemed necessary by Irish Water.

Reason: In the interest of proper planning and sustainable development and to ensure the proper servicing of the development and surrounding area.

Reasons and Considerations (2):

It is considered that the alteration to Condition No.35 is necessary to ensure future unrestricted sharing of essential infrastructure between the subject site and the residential zoned lands adjoining to the site.

Board Member:



Date: 06/06/2023

Peter Mullan

