



An
Bord
Pleanála

Board Direction
BD-015666-24
ABP-317652-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/02/2024.

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 policies and objectives of the Kildare County Development Plan 2023-2029, the rural context, the established use of the subject site and the design of the development, I consider that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the residential amenities of the area or of property in the vicinity and constitutes an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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| 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 04 of July 2023, 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 |
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	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>All foul effluent and slurry generated in the proposed development to be retained and stud farm shall be conveyed through properly constructed channels to the existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.</p> <p>Reason: In the interest of public health.</p>
3.	<p>All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains or adequate soakpits and shall not discharge or be allowed to discharge to the foul effluent drains, foul effluent and slurry storage tanks or to the public road.</p> <p>Reason: In order to ensure that the capacity of effluent and storage tanks is reserved for their specific purposes.</p>
4.	<p>(a) The First Party shall submit to the Planning Authority for written agreement a revised landscaping plan that includes the existing wall on part of the southern boundary of the site.</p> <p>(b) New planting at the site shall comprise plant species listed in Table 15.1(a) of the Kildare County Development Plan 2023-2029. All planting must take place in the next planting season. Any trees or plants which die or become seriously damaged or diseased within the first 5 years shall be replaced in the next planting season following the grant of this permission.</p> <p>Reason: To protect the amenities of property in the vicinity</p>
5.	PA Condition 3
6.	<p>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</p>

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



Stephen Bohan

Date: 01/03/2024