

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 16/569

An Bord Pleanála Reference Number: PL 09.247128

APPEAL by Thoival Properties Limited care of Mark Gilligan and Associates of Belgrade Building, Unit W4-D1, Ladytown Business Park, Naas, County Kildare against the decision made on the 26th day of July, 2016 by Kildare County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: Residential development consisting of 13 number houses as follows: Block A: three number two storey, three bedroom terrace houses on sites 1-3 inclusive, Block B: four number two storey, three bedroom semi-detached houses on sites 4, 5, 8 and 9, Block C: two number two storey, three bedroom semi-detached houses on sites 6 and 7 and Block D: four number two storey, three bedroom terrace houses on sites 10-13 inclusive, demolition of two number habitable houses, connection to mains sewer, site entrance, landscaping, bin store and all associated site development works at Drogheda Row, Monasterevin, County Kildare.

DECISION

GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Kildare County Development Plan 2011-2017 and the Monasterevin Local Area Plan 2016-2022, the nature and scale of the proposed development and to the pattern of development in the area, the Board considered that the proposed development represented a positive response to the streetscape and receiving environment and would not constitute a poor quality scheme and subject to compliance with the conditions set out below, would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed layout and response to the streetscape was appropriate and was satisfied that the development would not seriously injure the residential amenities of the Protected Structure or the adjoining property to the North and represent a positive response to the streetscape and the urban grain of the town centre of Monasterevin,

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

3. 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.

Reason: In the interest of visual amenity.

4. 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.

Reason: In the interest of public health.

5. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.