



An
Bord
Pleanála

Ordú Boird Board Order ABP-302216-18.

**Na hAchtanna um Pleanáil agus
Forbairt 2000 go 2018**

**Údarás Pleanála: Comhairle
Contae na Gaillimhe**

**Uimhir Thagartha an Bhoird
Phleanála: ABP-302216-18**

**Planning and Development Acts
2000 to 2018**

**Planning Authority: Galway County
Council**

**An Bord Pleanála Reference
Number: ABP-302216-18**

Iarratas le haghaidh ceada faoi Alt 4 den Acht um Pleanáil agus Forbairt (Tithíocht) agus agus um Thionóntachtaí Cónaithe 2016, de réir pleananna agus sonraí, a cuireadh isteach chuig an mBord Pleanála ar an 31 Iúil 2018 ag Burkeway Homes Limited faoi chúram McCarthy Keville O'Sullivan, Bloc 1, G.F.S.C., Bóthar Mhóinín na gCiseach, Gaillimh.

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 31st day of July 2018 by Burkeway Homes Limited care of McCarthy Keville O'Sullivan, Block 1, G.F.S.C., Moneenageisha Road, Galway.

An Fhorbairt Bheartaithe:

Forbairt tithíochta straitéiseach ag an láithreáin seo ag Troscaigh Thoir, Bearna, Co. na Gaillimhe.

San áireamh san fhorbairt bheartaithe, leagfar na tithe amuigh agus tógfar 197 áit chónaithe nua ina mbeidh:

- 2 uimh. teach cónaithe scoite le ceithre sheomra leapa (Cineál 2);
- 1 uimh. teach cónaithe scoite le ceithre sheomra leapa (Cineál 2A);
- 5 uimh. teach cónaithe scoite le ceithre sheomra leapa (Cineál 4);
- 3 uimh. teach cónaithe scoite le ceithre sheomra leapa (Cineál 4A);
- 12 uimh. teach cónaithe leathscoite le ceithre sheomra leapa (Cineál 5);
- 3 uimh. teach cónaithe leathscoite le ceithre sheomra leapa (Cineál 5A);
- 1 uimh. teach cónaithe leathscoite le ceithre sheomra leapa (Cineál 5C);
- 1 uimh. teach cónaithe leathscoite le ceithre sheomra leapa (Cineál 5D);

Proposed Development:

A strategic housing development at this site in Trusky East, Bearna, Co. Galway.

The proposed development will consist of the demolition of existing outbuildings and the construction of 197 number new dwellings comprising:

- 2 number four-bed detached dwelling houses (Type 2);
- 1 number four-bed detached dwelling houses (Type 2A);
- 5 number four-bed detached dwelling houses (Type 4);
- 3 number four-bed detached dwelling houses (Type 4A);
- 12 number four-bed semi-detached dwelling houses (Type 5);
- 3 number four-bed semi-detached dwelling houses (Type 5A);
- 1 number four-bed semi-detached dwelling houses (Type 5C);
- 1 number four-bed semi-detached dwelling houses (Type 5D);

- 1 uimh. teach cónaithe leathscoite le ceithre sheomra leapa (Cineál 5E);
- 31 uimh. teach cónaithe leathscoite le trí sheomra leapa (Cineál 6);
- 7 uimh. dteach cónaithe leathscoite le trí sheomra leapa (Cineál 6A);
- 4 uimh. theach sraithe dhá stór le dhá sheomra leapa (Cineál 7);
- 2 uimh. theach sraithe dhá stór le trí sheomra leapa (Cineál 7A);
- 16 uimh. theach sraithe dhá stór le trí sheomra leapa (Cineál 9);
- 6 uimh. theach sraithe dhá stór le trí sheomra leapa (Cineál 9A);
- 12 uimh. theach sraithe dhá stór le trí sheomra leapa (Cineál 9B);
- 1 number four-bed semi-detached dwelling houses (Type 5E);
- 31 number three-bed semi-detached dwelling houses (Type 6);
- 7 number three-bed semi-detached dwelling houses (Type 6A);
- 4 number two-bed two-storey terraced houses (Type 7);
- 2 number three-bed two-storey terraced houses (Type 7A);
- 16 number three-bed two-storey terraced houses (Type 9);
- 6 number three-bed two-storey terraced houses (Type 9 A);
- 12 number three-bed two-storey terraced houses (Type 9 B);

Tá deich uimh. mbloc árasán beartaithe chomh maith, idir trí agus ceithre stór, le naoi árasán san iomlán a bhfuil seomra leapa amháin ann, 51 uimh. árasán le dhá sheomra leapa agus sé uimh. árasán le trí sheomra leapa. Tá 24 uimh. árasán dhá leibhéal / lena ndorais féin sna

A total of ten number apartment blocks are also proposed, ranging between three and four storeys in height, and which contain a total of nine number one-bed apartments, 51 number two-bed apartments and six number three-bed apartments. The apartment blocks also contain 24 number three-bed

bloic árasán chomh maith.

Tá tógáil seomra pobail ilfheidhme le haon stóir amháin san áireamh san fhorbairt bheartaithe, chomh maith le trí uimh. dhroichead feithicle agus ceithre uimh. dhroichead coisithe, soláthar áiteanna páirceála le haghaidh cuairteoirí, spásanna stórála gaolta do rothair agus do bhoscaí bruscair, tírdhreachú ar áiteanna poiblí le áit oscailte phoiblí agus soilsiú poiblí san áireamh, díchoimisiúnú ionad cóireála fuíolluisce atá ann, soláthar na seirbhísí agus na nasc gaolta ar fad le haghaidh chóras draenála d'uisce dromchla agus dramhaíl atá tánaisteach don fhorbairt chónaithe, slí isteach do choisithe agus d'fheithiclí ón L-1321 ón bhforbairt ag Cnoc Fraoigh atá lonnaithe siar ón láithreán beartaithe chomh maith le seirbhísí agus oibreacha forbartha gaolta an láithreáin ar fad.

An Cinneadh

Cead a thabhairt don fhorbairt bheartaithe thuasluaite de réir na bpleananna agus na sonraí, bunaithe ar na hábhair agus na cúiseanna thíos agus faoi réir na

duplex / own door apartment units.

The proposed development includes the construction one number single storey multi-purpose community room, three number vehicular and four number pedestrian link bridges, provision of visitor parking areas, associated bicycle and bin storage areas, public realm landscaping including shared public open space and public lighting, decommissioning an existing wastewater treatment plant, provision of all associated surface water and foul drainage services and connections ancillary to the residential development, pedestrian and vehicular access from the L-1321 via the Cnoc Fraoigh development located immediately west of the proposed site as well as all associated site development works and services.

Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and

gcoinníollacha a leagtar amach thíos.

subject to the conditions set out below.

Na hÁbhair a bhí Curtha san Áireamh

Ag déanamh a chinnidh, thug an Bord aird ar na nithe áirithe atá dualgas air, de bhua na n-Achtanna um Pleanáil agus Forbairt agus na Rialachán arna ndéanamh fúthu, aird a thabhairt dóibh. San áireamh bhí aon aighneacht agus tuairim a fuair an Bord faoi réir forálacha reachtúla.

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.

Cúiseanna agus Tuisceana

Agus an cinneadh á dhéanamh acu, thug an Bord aird don méid seo a leanas:

- a) suíomh na láithreáin, ar thaobh na lonnaíochta seanbhunaithe i mBearna, Co. na Gaillimhe,
- b) na beartais agus cuspóirí i bPlean Forbartha Chontae na Gaillimhe 2015-2021 agus i bPlean Ceantair Áitiúil Bhearna, a glacadh mar Athrú 2(a) de Phlean Forbartha an

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- a) the site's location, adjoining the established settlement of Bearna, Co. Galway,
- b) the policies and objectives in the Galway County Development Plan 2015-2021 and the Bearna Local Area Plan, adopted as Variation 2(a) of the County Development Plan on 23rd July

- Chontae ar an 23 Iúil 2018,
- c) Plean Gníomhaíochta Atógáil Éireann maidir le tithíocht agus Easpa Dídine 2016,
- d) Treoirlínte d'Údaráis Phleanála maidir le Forbairt Cónaithe Inbhuanaithe in gCeantair Uirbeacha, agus an Lámhleabhar Dearaidh Uirbigh – Treoir Dea-Chleachtais atá in éindí leo a d'fhoilsigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil i Mí Bealtaine 2009,
- e) Treoirlínte d'Údaráis Phleanála maidir le Forbairt Uirbeach Inbhuanaithe: Caighdeáin Deartha d'Árasáin Nua a d'fhoilsigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil i Mí Márta 2018,
- f) An Lámhleabhar Deartha le haghaidh Sráideanna agus Bóithre Uirbeacha (DMURS) a d'eisigh an Roinn Iompair, Turasóireachta agus Spóirt agus an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil i Mí Márta 2013,
- g) Nádúr, scála agus dearadh na forbartha beartaithe agus fáil ar réimse leathan bhonneagair sóisialta agus iompair sa
- 2018,
- c) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- d) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual –A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- e) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in March 2018,
- f) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013,
- g) the nature, scale and design of the proposed development and the availability in the area of a wide range of social and

- cheantar,
- h) Patrún na forbartha atá ann agus a cheadaítear sa cheantar,
 - i) Na haighneachtaí agus na tuairimí a fuarthas, agus
 - j) Tuarascáil an Chigire.

Creidtear go mbeidh dlús oiriúnach forbartha cónaithe ann san fhorbairt bheartaithe, faoi réir comhlíonta leis na coinníollacha a leagtar amach thíos, maidir le suíomh an láithreáin gar do lár Bhearna, nach ndéanfaí dochar d'áiseanna cónaithe nó do thaitneamhachtaí amhairc na háite nó na réadmhaoine áitiúla, nach gcuirfí baol tuilte ann agus go mbeadh an fhorbairt inghlactha maidir le sábháilteacht agus áisiúlacht coisithe agus tráchta. Bheadh an fhorbairt bheartaithe de réir pleanála cuí agus forbartha inbhuanaithe an cheantair, mar sin.

- transport infrastructure,
- h) the pattern of existing and permitted development in the area,
 - i) the submissions and observations received, and
 - j) the report of the Inspector.

It is considered that, subject to compliance with the conditions set out below, the proposed development would represent an appropriate density of residential development having regard to the location of the site close to the centre of Bearná, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not lead to a risk of flooding and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Scagadh le haghaidh Measúnacht Chuí

Thug an Bord aird don Ráiteas maidir leis an Scagadh le haghaidh Measúnacht Chuí a chuir an t-iarratasóir isteach agus rinne an Cigire cinneadh ar an Scagadh le haghaidh Measúnacht Chuí.

Leis an scagadh le haghaidh Measúnacht Chuí a dhéanamh, ghlac an Bord leis an gcinneadh scagtha a leagadh amach i dtuarascáil an Chigire maidir le sainathint láithreán Eorpach a d'fhéadfaí cur isteach orthu, agus sainathint agus scagadh tionchar suntasach féideartha an láithreáin bheartaithe, idir go haonarach nó i dteannta le tograí eile, ar na láithreáin Eorpacha sin maidir le cuspóirí caomhantais an láithreáin.

Bhí an Bord sásta nach mbeadh tionchar suntasach ag an bhforbairt bheartaithe, idir go haonarach nó i dteannta le

Appropriate Assessment Screening

The Board noted the Statement of Screening for Appropriate Assessment submitted by the applicant and the Appropriate Assessment Screening determination carried out by the Inspector.

In completing the screening for Appropriate Assessment, the Board accepted and adopted the screening determination carried out in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on those European sites in view of the sites' conservation objectives.

The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant

tograí eile, ar na láithreáin Eorpacha atá ann i limistéar caomhantais speisialta casta Chuan na Gaillimhe (cód láithreáin 000268) agus i limistéar cosanta speisialta Chuan na Gaillimhe laistigh (cód láithreáin 004031), nó ar aon láithreán Eorpach eile, agus le cuspóirí caomhantais na láithreán san áireamh, níl gá le Measúnacht Chúí Céim 2 mar sin.

effect on European sites Galway Bay Complex Special Area of Conservation (site code 000268) and Inner Galway Bay Special Protection Area (site code 004031), or any other European site, in view of the sites' conservation objectives, and a Stage 2 Appropriate Assessment is not therefore required.

Scagadh le haghaidh Measúnacht Tionchair Timpeallachta

Rinne an Bord measúnacht tionchair timpeallachta maidir leis an bhforbairt bheartaithe, le nádúr, scála agus réim na forbartha beartaithe san áireamh agus cinntíodh go mbeadh tionchair na forbartha beartaithe í féin ar an timpeallacht nó i dteannta le forbairt eile sa cheantar inghlactha.

Environmental Impact Assessment Screening

The Board completed an environmental impact assessment in relation to the proposed development, taking into account the nature, scale and extent of the proposed development and concluded that the effects on the environment of the proposed development by itself and in combination with other development in the vicinity would be acceptable.

Coinníollacha

1. Déanfar agus críochnófar an fhorbairt de réir na bpleananna agus sonraí a cuireadh isteach chuig leis an iarratas seachas aon rud a mbeidh gá leo le go gcloífear leis na coinníollacha seo a leanas. Sa chás go bhfuil gá le comhaontú leis an údarás pleanála maidir le sonraí áirithe, aontóidh an forbróir na sonraí sin leis an údarás pleanála i scríbhinn sula gcuirfear tús leis an bhforbairt agus déanfar agus críochnófar an fhorbairt de réir na sonraí comhaontaithe. Má loicfear ar an gcomhaontú, cuirfear an cheist ar aghaidh chuig an mBord Pleanála le go ndéanfar cinneadh uirthi.

Cúis: Ar mhaithe le soiléire.

2. Déanfar leasú ar an bhforbairt bheartaithe mar seo a leanas:
 - (a) Cuirfear áis chúram leanaí ann in ionad áis phobail a chur ann de réir “Áiseanna Cúram Leanaí: Treoirínte d’Údaráis Phleanála” a d’eisigh an Roinn Comhshaoil agus Rialtais

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. In default of agreement, such issues may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The proposed community facility shall be replaced by a childcare facility in accordance with the document “Childcare Facilities: Guidelines for Planning Authorities” issued by the

Áitiúil i Mí Meithimh 2001.
Cuirfear iarratas isteach le
haghaidh cead pleanála maidir
leis an áis sula gcuirfear tús le
tógáil tríú céim na forbartha
mar a leagtar amach sa
Tuarascáil Céimnithe a
cuireadh isteach leis an
iarratas.

- (b) Cuirfear scagairí gloinithe
teimhneacha ar lochtáin na n-
árasán 52-57 agus 58-63 atá
ar dhá leibhéal, a mbeidh 1.8
méadar thar leibhéal na
lochtán.
- (c) Cuirfear ballaí coincréite
timpeall na ngairdíní ar chúl na
dtithe, a mbeidh 1.8 méadar ar
airde ar a laghad, agus
cuirfear cótaí plástair orthu ar
an dá taobh mar is cuí,
seachas má tá siad le taobh
na mbóithre nó na n-áiteanna
poiblí agus ansin beidh na
ballaí dhá mhéadar ar airde.
Cuirfear bailchríoch de chloch
nádúrtha áitiúil ar aon bhalla
atá trasna ó áiteanna oscailte.
Ní dhéanfar teorainn as falta
adhmaid d'aon ghairdín ar chúl
tí.

Department of Environment and
Local Government in June
2001. An application for
planning permission for the
facility shall be made and the
facility shall be provided prior to
commencement of construction
of the third phase of
development as indicated in the
Phasing Report submitted with
the application.

- (b) The first floor terraces of duplex
units 52-57 and 58-63 shall be
provided with opaque glazed
screens, which shall extend to
1.8 metres above the level of
the terraces.
- (c) All rear gardens of houses shall
be bounded with concrete block
walls, which shall be a minimum
of 1.8 metres high, and shall be
suitably capped and rendered
on both sides, except where
bounding public open spaces or
roads, when the walls shall be
two metres in height. All
boundary walls facing open
spaces shall be finished in local
natural stone. Post and timber
fences shall not be used for any
rear garden boundaries.

(d) Cuirfear stóráil bruscair ar fáil os comhair na dtithe sraithe a bhfuil lánaí ag fáil isteach chuig na gairdíní atá taobh thiar dóibh, agus fágfar an áit mar sin mar chuid de na gairdíní atá taobh leo.

Cuirfear líníochtaí leasaithe de chomhlíonadh leis na rialacháin seo chuig an údarás pleanála agus aontófar i scríbhinn maidir leo, sula gcuirfear tús leis an bhforbairt.

Cúis: Ar maithe le háiseanna cónaithe agus taitneamhachtaí amhairc, le cinntiú go gcuirfear teorainneacha marthanacha ar fáil agus go mbeidh cúram leanaí ar fáil i gcomhar leis na hionaid chónaithe.

3. Coinneofar ar a laghad 20% de na tithe do dhaoine atá in ann a léiriú go mbeidh siad ag cosaint agus ag coinneáil na Gaeilge agus a cultúir, le haghaidh tréimhse 15 bliana ar a laghad, seachas má tá

(d) The alleys accessing gardens to the rear of terraced units shall be omitted and adequate bin storage shall be provided to the front of terraced houses in lieu, with the areas thus released incorporated into the adjoining garden.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenities, in order to ensure the provision of durable boundary treatments and to ensure that childcare facilities are provided in association with residential units.

3. A minimum of 20% of the houses hereby permitted shall be restricted to use as a house by those who can demonstrate the ability to preserve and protect the language and culture of the Gaeltacht, unless

comhaontú difriúil leagtha amach i scríbhinn leis an údarás pleanála. Cuirfidh an forbróir Ráiteas Tionchair Teanga chuig an údarás pleanála ina mbeidh sonraí maidir le comhlíonadh leis an riachtanas seo sula gcuirfear tús leis an bhforbairt. Sula gcuirfear tús leis an bhforbairt, déanfaidh an forbróir conradh leis an údarás pleanála (faoi fhorálacha Ailt 47 den Acht um Pleanáil agus Forbairt, 2000 arna leasú), agus na cúiseanna leis sin ná cuid de ghnéithe cónaithe na forbartha a choimeád nó a rialú atá ar leataobh do dhaoine leis an gcumas/líofacht seo sa Ghaeilge.

Cuirfear sonraí maidir le caighdeán na Gaeilge atá ag teastáil agus conas é seo a mheas i g comhaontú scríofa chuig an údarás pleanála roimh go mbeidh an

otherwise agreed in writing with the planning authority, for a period of 15 years. The developer shall submit a completed Linguistic Impact Statement to the planning authority providing details of compliance with this requirement prior to the commencement of development.

Prior to commencement of development, the developer shall enter into a legal agreement with the planning authority (under the provisions of section 47 of the Planning and Development Act, 2000, as amended), the purposes of which shall be to restrict or regulate a portion of the residential elements of the development hereby permitted for the use of occupants who have an appropriate competence/fluency in Irish.

Details of the standard of Irish to be achieved and method of evaluating this shall be agreed in writing with the planning authority prior to the finalization of the agreement hereby

comhaontú sa choinníoll seo tugtha chun críche. (Beidh cáilíocht don Scéim Deontais Tithe i gceist go huathoibríoch).

Laistigh de trí mhí i ndiaidh tús na forbartha, déanfaidh an forbróir conradh dlíthiúil leis an údarás pleanála (faoi fhorálacha Ailt 47 den Acht um Pleanáil agus Forbairt, 2000 arna leasú) a chuirfidh an méid sin thuas i bhfeidhm. Ní rachaidh aon áititheoir i dteach ar bith go dtí go mbeidh conradh ann leis an údarás pleanála faoi Alt 47 den Acht um Pleanáil agus Forbairt, 2000 arna leasú.

Cúis: Le cinntiú go dteorannófar forbairt i gceart san áit ina bhfuil an láithreán lonnaithe.

4. Ceadófar an fhorbairt laistigh de thréimhse cúig bliana ó dháta an Ordaithe seo.

Cúis: Ar mhaithe le pleanáil chúí agus forbairt inbhuanaithe.

conditioned. (Qualification for the Scéim Deontais Tithe will automatically qualify).

Within three months of commencement of development, the developer shall enter into a legal agreement with the planning authority (under the provisions of section 47 of the Planning and Development Act, 2000, as amended), the purposes of which shall be to give effect to the above restrictions. No house shall be occupied until an agreement has been entered into with the planning authority pursuant to section 47 of the Planning and Development Act, 2000, as amended.

Reason: To ensure that development in the area in which the site is located is appropriately restricted.

4. The period during with the development hereby permitted may be carried out shall be five years from the date of this Order.

Reason: In the interests of proper planning and sustainable development.

5. Déanfar an fhorbairt céim ar chéim, de réir scéim céimnithe a chuirfear chuig an údarás pleanála agus a dhéanfar comhaontú uirthi i scríbhinn sula gcuirfear tús le haon fhorbairt. Críochnófar an nasc coisithe ar an mbóthar L-1321 i gCéim 1 sula gcuirfear aonad cónaithe ar bith ar fáil d'áititheoirí.

Cúis: Le soláthar seirbhísí tráthúil a chinntiú, agus le bhealach coisithe go lár Bhearna a chur ar fáil ar mhaithe le áititheoirí na náiteanna cónaithe beartaithe.

6. Cuirfear beartais maolaithe agus monatóireachta i gcrích san iomlán, mar a leagtar amach sna pleananna agus sna sonraí, le Tuarascáil Measúnaithe Tionchair Timpeallachta a cuireadh isteach leis an iarratas seo san áireamh, mar atá i Cuid 6 de “Beartais Maolaithe”, mura leagtar a mhalairt amach i

5. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with the planning authority prior to commencement of any development. In particular, the pedestrian connection on the L-1321 road shall be completed in Phase 1 prior to the making available for occupation of any residential units.

Reason: To ensure the timely provision of services, and the provision of a pedestrian connection to the centre of Bearna, for the benefit of the occupants of the proposed dwellings.

6. Mitigation and monitoring measures outlined in the plans and particulars, including the Ecological Impact Assessment Report submitted with this application, as set out in Section 6 “Mitigation Measures”, shall be carried out in full, except where otherwise required by conditions attached to this permission.

gcoinníollacha atá leis an gcead seo.

Cúis: Ar mhaithe leis an timpeallacht a chosaint agus ar mhaithe le sláinte an phobail.

7. (a) Sula gcuirfear tús leis an bhforbairt, lorgóidh agus gheobhaidh an forbróir cead scríofa an údaráis pleanála le haghaidh:
- (i) Plean tírdhreacha mionsonraithe, le sonraí airithe ann maidir le speiceas agus tomhas na bplandaí a úsáidfear.
 - (ii) Togra deartha mionsonraithe maidir leis na háiteanna súgartha áitiúla agus nádúrtha atá beartaithe.
 - (iii) Tograí mionsonraithe maidir le bainistíocht ghnáthóg bruachánach taobh le Sruthán Truscaigh, le feabhsú fásra, droichead bóthair agus coisithe, áiteanna bogaigh, leapacha scagacháin, agus bheartas bainistíochta cré san áireamh. Tá sonraí maidir le falta beartaithe taobh le bruacha an tSrutháin Truscaigh bainteach leis seo chomh maith.

Reason: In the interest of protecting the environment and in the interest of public health.

7. (a) Prior to commencement of development, the developer shall submit to and obtain the written consent of the planning authority for:
- (i) A detailed landscaping plan including specific details as to the plant sizes and species to be used.
 - (ii) Detailed design proposals for natural and local play areas proposed.
 - (iii) Detailed proposals for the management of riparian habitat along the Trusky Stream including enhancement of existing vegetation, road and pedestrian bridges, wetland areas, filtration beds and soil cut and fill measures. Also details of proposed fencing along the banks of the Trusky Stream.

(iv) Sonraí maidir leis na droichid bheartaithe thar an Sruthán Truscaigh.

(b) Cuirfear cré agus síolta sna gairdíní príobháideacha chun tosaigh agus ar chúl sula dtabharfar na háiteanna cónaithe d'aon áititheoir laistigh de gach céim forbartha.

(c) Déanfar forbairt ar na háiteanna oscailte poiblí agus ar na mionpáirceanna agus beidh siad ann don phobal. Ní cheadaítear aon fhorbairt orthu agus ní bheidh na háiteanna iata seachas má tá comhaontú áirithe ann. Nuair a bheidh an áit á thógáil i gcúram, cuirfear na háiteanna oscailte faoi chúram an údaráis áitiúla, gan chostas don údarás áitiúla, mar spás oscailte poiblí.

(d) Leagfar amach na fáлта sceach, teorainneacha na bhfálta agus na háiteanna oscailte poiblí ag tús nó deireadh gach céim den fhorbairt bheartaithe. Beidh conradh cothabhála trí bliana i bhfeidhm do na beartais seo nó conradh iarchúraim do na gnéithe tírdhreacha, fáлта sceach, cur

(iv) Details of the proposed pedestrian bridges over the Trusky Stream.

(b) All front and rear private garden spaces shall be soiled and seeded prior to the occupation of any dwelling unit within each phase.

(c) The public open space / pocket parks shall be developed for and devoted to public use. They shall be free from any development and shall not be enclosed by any means, except where otherwise agreed. When the development is being taken in charge, the open spaces shall be vested to the planning authority, at no cost to the planning authority, as public open space.

(d) The establishment of new hedgerow, hedge boundaries and public open space areas shall take place at an advanced or initial stage of each phase of the proposed development. Such measures shall include a three-year maintenance or aftercare

crainn agus spásanna oscailte ar fad, ar bhonn leanúnach.

Aithneofar na fabhtanna ar fad agus deiseofar iad mar ia gá.

- (e) Ceapfar Ailtire Tírdhreacha atá cáilithe mar is cuí sula gcuirfear tús leis an bhforbairt ar an láithreán chun maoirseacht a dhéanamh ar thógáil an tionscadail agus ar chéimeanna luaithe oibríochta na forbartha.
- (f) Cuirfear tírdhreach na forbartha iomláine i gcrích de réir an phlean tírdhreacha aontaithe a bhfuil gá leis faoi choinníoll 7(a) thuas, agus cuirfear i gcrích é roimh deireadh gach céim. Críochnófar tírdhreach agus cóireáil na dteorainneacha maidir le gach céim nuair atá an céim áirithe tógtha agus sula dtabharfar ionaid na céime dar gcionn do na háititheoirí.
- Cúis:** Chun na gnáthóga bruachánacha atá taobh le Sruthán Truscaigh a chosaint, agus le dearadh tírdhreacha de chaighdeán ard ar fud na scéime a chinntiú ar mhaithe le pleanáil

contract for all landscape elements, hedgerow, tree planting and open spaces on an on-going basis. All defects shall be identified and corrected as necessary.

- (e) A suitably qualified Landscape Architect shall be appointed prior to the commencement of any development on the subject site to oversee and monitor the project construction and early operational stages of development.
- (f) Landscaping of the overall development shall be carried out in accordance with the agreed landscaping plan required under condition 7(a) above, and shall be carried out and completed prior to the completion of each phase. The completion of landscaping and boundary treatments with respect to each phase of development shall be completed in full post the construction of the relevant phase and prior to the occupation of any units within the following phase.
- Reason:** To protect the riparian habitat along the Trusky Stream

chuí agus forbairt inbhuanaithe.

and ensure a high quality landscape design throughout the scheme in the interest of proper planning and sustainable development.

8. Coimeádfar an gréasán bóithre inmheánach a fhreastalaíonn ar an bhforbairt bheartaithe mar atá gá leis i riachtanais an údaráis pleanála le hoibreacha mar sin, le háiteanna casta, acomhail, achair radhairc, cosáin agus colbhaí, agus aontóidh siad leis na forálacha a leagtar amach sa Lámhleabhar Deartha do Bhóithre agus Sráideanna Uirbeacha.

Cúis: Ar mhaith le sábháilteacht na gcoisithe agus an tráchtta, agus ionas go gcloífear le beartas náisiúnta maidir leis seo.

8. The internal road network serving the proposed development, including turning bays, junctions, sight distances, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works, and shall comply in all respects with the provisions of the Design Manual for Urban Roads and Streets.

Reason: In the interest of pedestrian and traffic safety, and in order to comply with national policy in this regard.

9. Coimeádfar gach cábla seirbhíse faoi thalamh atá bainteach leis an bhforbairt bheartaithe (cosúil le cáblaí leictreonacha, teileachumarsáide agus teilifíse comhroinnta). Cuirfear

9. 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

an forbróir duchtú ann chun soláthar bhonneagar leathanbhanda a fheidhmiú laistigh den fhorbairt bheartaithe. Cuirfear na cáblaí atá fós os cionn talún faoi thalamh mar chuid de hoibreacha forbartha an láithreáin.

Cúis: Ar maithe le háiseanna cónaithe agus taitneamhachtaí amhairc.

developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

10. Cuirfear soilsiú poiblí ann de réir scéime a aontófar i scríbhinn agus a gcuirfear na sonraí ar aghaidh chuig an údarás pleanála sula gcuirfear tús leis an bhforbairt. Cuirfear soilsiú poiblí ann sula gcuirfear na háiteanna cónaithe ar fáil d'áititheoirí.

Cúis: Ar mhaithe le háis chónaithe.

10. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Public lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of residential amenity.

11. Cuirfear an fhorbairt a cheadaítear anseo i gcrích de réir na gcaighdeán tógála a leagtar amach i mBeartas Tógála i gCúram an údaráis pleanála. Nuair a chríochnófar an fhorbairt, déanfaidh an forbróir cothabháil uirthi de réir na gcaighdeán seo, go dtí go dtógfaidh an t-údarás pleanála i gcúram í. I measc na n-áiteanna a rachaidh faoi chúram an údaráis, beidh na háiteanna atá fógartha mar spásanna oscailte poiblí sa ráiteas deartha le háiseanna maolaithe uisce san áireamh, chomh maith leis an dearadh a cuireadh isteach is a léirítear in Aguisín 2 den ráiteas deartha. Ní bheidh áit ar bith seachas na háiteanna poiblí inmheánacha sna hárasáin faoi chúram chuideachta bainistíochta príobháideach.

Cúis: Ar mhaithe le háiseanna áititheoirí na tithíochta beartaithe agus ionas go gcloífead leis an mBeartas Náisiúnta maidir le heastáit tithíochta cónaithe a thógáil i gcúram.

11. The development hereby permitted shall be carried out and completed at least to the construction standards set out in the planning authority's Taking in Charge Policy. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority. The areas to be taken in charge shall, in addition to the submitted design as shown in Appendix 2 of the submitted design statement, include all of the areas shown as public open space in this statement including all surface water attenuation facilities. No part of the development other than the internal common areas of the apartments shall be maintained by a private management company.

Reason: In the interest of the amenities of the occupants of the proposed housing and to comply with National Policy in relation to taking in charge of residential housing estates.

12. Cloífidh sonraí sholáthar agus draenáil uisce le riachtanais an údaráis pleanála d'oibreacha agus seirbhísí mar sin, le maolú agus diúscairt an uisce dromhchla san áireamh. Cloífidh an forbróir leis na riachtanais áirithe seo a leanas:

- (a) Beidh an t-údarás pleanála sásta ó fhaisnéis an fhorbróra go mbeidh na droichid bóthair agus coisithe in ann tuilte na dtréimhsí athfhillte a iompair agus go bhfuarthas cead oiriúnach mar is gá ó na comhlachtaí reachtúla le hOifig na nOibreacha Poiblí agus Iascach Intíre Éireann san áireamh.
- (b) Beidh an t-údarás pleanála sásta ó fhaisnéis an fhorbróra go cloíonn scaoileadh uisce dromhchla a ritheann chun Srutháin Truscaigh agus tógáil bóthair nua agus droichid coisithe ann leis na riachtanais reachtúla ar fad atá i bhfeidhm, agus go rinneadh comhairliúchán leis na comhlachtaí reachtúla oiriúnacha ar nós Oifig na nOibreacha Poiblí agus

12. 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. The developer shall comply with the following particular requirements:

- (a) The developer shall satisfy the planning authority that all new road and pedestrian bridges have adequate capacity to carry the predicted flood flows of relevant return periods and that all appropriate consents from statutory bodies including the Office of Public Works and Inland Fisheries Ireland have been obtained.
- (b) The developer shall satisfy the planning authority that discharge of surface water runoff to the Trusky Stream and the construction of a new road and pedestrian bridges thereon are fully compliant with all relevant statutory requirements that apply thereto following consultation with the relevant statutory bodies including the Office of Public Works, Inland Fisheries Ireland regarding inter

Iascach Intíre Éireann san áireamh faoi cheisteanna ar nós atreorú cainéil sealadach le linn tógála, acmhainn hidrálach agus tionchar tuilte, agus leis an údarás pleanála maidir le riachtanais chosc truaillithe le linn agus i ndiaidh tógála.

- (c) Beidh an t-údarás pleanála sásta ó fhaisnéis an fhorbróra go bhfuil soláthar draenála sásúil á chur ann do Sruthán Truscaigh agus d'aon sruthchúrsa/díog eile a théann thar láithreán na forbartha.
- (d) Cuirfear an forbróir na sonraí ar fad maidir le córas maolaithe beartaithe an uisce dromchla chuig an údarás pleanála i scríbhinn ar lorg ceada sula gcuirfear tús leis an bhforbairt, le sonraí ar rátaí sceitheadh, áireamh deartha a cheadóidh 20% athrú aeráide, beartais maidir le Córais Draenála Inbhuanaithe, áiteanna stórála do mhaolú stoirme, dearadh líonra píopaí agus nascanna le líonra an uisce dromchla atá ann sa cheantar.
- (e) Cuirfidh an forbróir

alia temporary channel diversions during construction, hydraulic capacity and flood impact, and the planning authority regarding the pollution prevention requirements during and after construction.

- (c) The developer shall satisfy the planning authority that adequate drainage provision is being made for the Trusky Stream and any other watercourses/ditches traversing the development site.
- (d) The developer shall submit full details of the proposed surface water attenuation system to the planning authority for consent in writing prior to the commencement of development, to include details of outflow rates, design calculations to allow for a 20% climate change factor, Sustainable Drainage Systems measures, storm attenuation storage chambers, pipe network design and connections to the existing surface water network in the area.
- (e) The developer shall submit a

Measúnacht ar Phriacail Tuile leasaithe don láithreán airithe chuig an údarás pleanála sula gcuirfead tús leis an bhforbairt, le measúnacht iomlán a chur ar fáil ar thionchair na n-oibreacha talún agus na beartais gearrtha agus líonta ag láithreán na forbartha san áireamh.

Cúis: Ar mhaithe le sláinte an phobail agus chun aghaidh a thabhairt ar an mbaol tuile.

13. Déanfar comhaontú scríofa leis an údarás pleanála maidir le tograí do scéim ainmnithe agus uimhrithe na forbartha beartaithe sula gcuirfead tús leis an bhforbairt. Ina dhiaidh sin, cuirfead fógraí an eastáit go léir, chomh maith le uimhreacha na dtithe, ar fáil de réir na scéime aontaithe. Bunófar an t-ainm beartaithe ar ghnéithe stairiúla nó topagrafacha áitiúla, nó ar roghanna eile a cheadóidh an t-údarás áitiúil. Ní cheadófar fógraíocht nó fógraí margaíochta a bhaineann le hainm na forbartha a chur suas go dtí go bhfaighidh an

revised Site-Specific Flood Risk Assessment, to provide full assessment of any impacts of the proposed ground works and cut and fill measures at the development site, to the planning authority prior to the commencement of development.

Reason: In the interest of public health and in order to address flood risk.

13. Proposals for a naming and numbering scheme for the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate signs, and house/unit numbers, shall be provided in accordance with the agreed scheme. The proposed name 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 of the development shall be

forbróir cead scríofa an údaráis pleanála maidir leis an ainm beartaithe.

Cúis: Ar mhaithe le soléiteacht uirbeach agus le cinntiú go n-úsáidfear ainmneacha áitiúla oiriúnacha d'áiteanna cónaithe nua.

erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

14. Cuirfear sonraí maidir le hábhair, dathanna agus uigeachta na bailchríche seachtraí ar aghaidh chuig an údarás pleanála agus déanfar comhaontú orthu sula gcuirfear tús leis an bhforbairt. Beidh dath gormdhuibh nó slinnléith ar dhíonta na dtithe agus na n-árasán dhá leibhéal (le tíleanna mullaigh san áireamh).

Cúis: Ar mhaithe le taitneamhachtaí amhairc na háite.

14. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof colour of all houses and duplex blocks shall be blue black or slate grey (including ridge tiles)

Reason: In the interest of the visual amenities of the area.

15. Sula gcuirfear tús leis an bhforbairt, déanfar comhaontú idir an t-údarás pleanála agus an forbróir, no aon duine eile a bhfuil suim áirithe acu sa talamh atá san iarratas, maidir le soláthar tithíochta de réir riachtanas na nAlt 94(4) agus 96(2) agus (3) den Acht um Pleanáil agus Forbairt 2000, arna leasú, seachas má dhéanfaí iarratas ar dheimhniú díolúine agus go gceadófar é faoi Alt 97 den Acht, arna leasú. Mura dtiocfar ar réiteach mar seo laistigh de hocht seachtaine ó dháta an ordaithe seo, is féidir go gcuirfidh an t-údarás pleanála nó páirtí oiriúnach eile an cheist áirithe chuig an mBord Pleanála le cinneadh a dhéanamh uirthi (seachas ceist a bhaineann le halt 96(7)).

Cúis: Ionas go gcloífear leis na riachtanais i gCuid V den Acht um Pleanáil agus Forbairt 2000 (arna leasú).

15. Prior to commencement of development, the developer 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.

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

16. Cuirfidh an forbróir breithmheas seandálaíochta an láithreáin ar fáil agus cloífead leis na riachtanais seo a leanas a leag an Roinn Cultúir, Oidhreachta agus Gaeltachta amach:

- (a) Fostóidh an forbróir seandálaí a bhfuil na cáilíochtaí oiriúnacha acu chun measúnacht tionchair seandálaíochta a dhéanamh maidir le láithreán na forbartha.
- (b) Déanfaidh an seandálaí taighde dhoiciméadach oiriúnach agus scrúdú ar an láithreán. Is fiú tochtaltán trialach a dhéanamh ag suímh áirithe a roghnóidh an seandálaí agus a cheadúnófar faoi na hAchtanna na Seadchomharthaí Náisiúnta 1930 – 2004.
- (c) Má aimsítear ábhair seandálaíochta, ba chóir don seandálaí dul i dteagmháil le Seirbhís na Séadchomharthaí Náisiúnta atá ag an Roinn Cultúir, Oidhreachta agus Gaeltachta maidir le tuilleadh maolaithe.
- (d) I ndiaidh don mheasúnacht a

16. The developer shall facilitate an archaeological appraisal of the site and shall comply with the following requirements of the Department of Culture, Heritage and the Gaeltacht:

- (a) The developer shall engage the services of a suitably qualified archaeologist to carry out an archaeological impact assessment of the development site.
- (b) The archaeologist should carry out any relevant documentary research and inspect the site. A programme of test excavation should be carried out at locations chosen by the archaeologist and licensed under the National Monuments Acts 1930-2004.
- (c) Where archaeological material/features are shown to be present the archaeologist should consult with the National Monuments Service of the Department of Culture, Heritage, and the Gaeltacht regarding further mitigation.
- (d) Having completed the

chríochnú, cuirfidh an seandálaí tuarascáil scríofa chuig Seirbhís na Séadchomharthaí Náisiúnta. Is féidir go mbeidh buanchoimeád in-situ, buanchoimeád trí thaifead (tochaltán) nó maoirseacht ag teastáil.

Cúis: Le buanchoimeád leanúnach áiteanna, pluaiseanna, láithreán, gnéithe nó rudaí eile a chinntiú (in-situ nó trí thaifead).

17. Beidh obair forbartha agus tógáil ar siúl ó 0800 go 1900 ó Luan go hAoine, ó 0800 go 1400 ar an Satharn agus ní bheidh siad ar siúl ar an Domhnach nó ar laethanta saoire poiblí. Ní cheadófar athrú ar na hamanna seo ach i gcásanna eisceachtúla dá dtabharfadh an t-údarás pleanála cead scríofa roimh ré.
- Cúis:** Chun áiseanna cónaithe réadmhaoine na háite a chosaint.

assessment, the archaeologist should submit a written report to the planning authority and to the National Monuments Service.

Preservation in situ, preservation by record (excavation) or monitoring may be required.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

17. Site development and building works shall be carried out only between 0800 to 1900 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.
- Reason:** In order to safeguard the residential amenities of property in the vicinity.

18. Bainisteofar tógáil na forbartha de réir Phlean Bainistíochta na Tógála, a chuirfear chuig an údarás pleanála agus a dhéanfar comhaontú air sula gcuirfear tús leis an bhforbairt. Beidh sonraí sa phlean seo maidir le córas tógála na forbartha, bearta bhainistíocht fuaime, agus diúscairt seachtrach dhramhaíl tógála/scartála.

Cúis: Ar mhaithe le pleanáil chúí agus forbairt inbhuanaithe na háite.

19. Bainisteofar dramhaíl tógála/scartála de réir plean dhramhaíl tógála/scartála a chuirfear chuig an údarás pleanála agus a dhéanfar comhaontú air i scríbhinn sula gcuirfear tús leis an bhforbairt. Cuirfear an plean seo le chéile de réir “Treorach Dea-Chleachtais ar Ullmhúchán Pleananna Bainistíochta do Dhramhaíl Thionscadail Tógála agus Scartála,” a d’fhoilsigh an Roinn

18. 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, noise management measures, and off-site disposal of construction/demolition waste.

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

19. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for

Comhshaoil, Oidhreachta agus Rialtais Áitiúil i Mí Iúil 2006.

Cúis: Ar mhaithe le bainistíocht dramhaíola inbhuanaithe.

Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

20. Cuirfear plean mionsonraithe ar bhainistíocht tráchta chuig an údarás áitiúil agus déanfar comhaontú i scríbhinn air sula gcuirfear tús leis an bhforbairt. Beidh sonraí ar shocraithe bealaí do thrácht tógála agus ar pháirceáil d’oibríthe tógála le linn céim na tógála, agus ar shocraithe maidir le seachadtaí ualaí neamhghnách chun an láithreáin.

Cúis: Ar mhaithe le sábháilteacht an phobail agus áiseanna cónaithe.

20. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic and parking for construction workers during the construction phase, and arrangements for delivery of abnormal loads to the site.

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

21. Cuirfear plan chuig an údarás áitiúil maidir le sonraí ar bhainistíocht dramhaíola (le hábhair in-athchúrsáilte ach go háirithe) laistigh den fhorbairt, le soláthar áiseanna chun an dramhaíl agus na hábhair in-athchúrsáilte go háirithe a choimeád, a roinnt agus a bhailiú agus ar fheidhmiú leanúnach na n-áiseanna seo, agus déanfar comhaontú i scríbhinn air sula gcuirfear tús leis an bhforbairt. I ndiaidh sin, bainistíofar an dramhaíl de réir an phlean seo.

Cúis: Chun bainistíocht dramhaíola agus ábhar in-athchúrsáilte chuí a chinntiú, agus ar mhaithe le cosaint an chomhshaoil.

21. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

22. Íocfaidh an forbróir síntiús airgid leis an údarás pleanála maidir le bonneagar poiblí agus forbairt a bhainfidh tairbhe as áiseanna i gceantar an údaráis pleanála a chuirfidh an t-údarás pleanála ar fáil, nó a chuirfear ar fáil thar ceann an údaráis, de réir téarmaí na Scéime Síntiúis Forbartha faoi Alt 48 den Acht um Pleanáil agus Forbairt 2000, arna leasú. Íocfar an síntiús sula gcuirfear tús leis an bhforbairt nó in íocaíochta ar bhonn céimnithe de réir an údaráis pleanála agus faoi réir fhorálacha innéacsaithe oiriúnacha sa Scéim sin ag am íocaíochta. Déanfar comhaontú ar théarmaí na Scéime agus conas a fheidhmeofar iad idir an t-údarás pleanála agus an forbróir, agus muna gcloífear leis an comhaontú, cuirfear an cheist chuig an mBord Pleanála chun feidhmiú cuí na dtéarmaí sa Scéim.

Cúis: Is riachtanas é atá san Acht um Pleanáil agus Forbairt 2000, arna leasú, go gcuirfear coinníoll sa chead maidir le

22. 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

síntiús a íocfar de réir Scéime Síntiúis Forbartha faoi Alt 48 den Acht.

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.

23. Sula gcuirfeadh tús leis an bhforbairt, tabharfaidh an forbróir éarlais, banna cuideachta árachais, nó urrús eile don údarás pleanála chun soláthar, críochnú agus cothabháil sásúil na mbóithre, na gcosán, na bpiomhphíobán uisce, na ndraenacha, na n-áiteanna oscailte poiblí agus seirbhísí riachtanacha eile a chinntiú, chomh maith le comhaontú a thugann cumhacht don údarás áitiúil an urrús seo, no cuid de, a fheidhmiú maidir le críoch sásúil nó cothabháil na forbartha. Aontóidh an forbróir leis t-údarás pleanála ar fhoirm agus méid an urrúis, nó muna gcloífeadh leis an comhaontú, cuirfeadh an cheist ar aghaidh chuig an mBord Pleanála go ndéanfaidh an Bord cinneadh uirthi.

23. 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, water mains, 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

Cúis: Chun críoch agus cothabháil sásúil na forbartha a chinntiú go dtí go dtógfár an fhorbairt i gcúram.

determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge

Ball den Bhord Pleanála a bhfuil Údarás aige séala an Bhord a fhíordheimhniú

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

Dátaithe ar an

lá seo de

2018

Dated this the

day of

2018