



An
Bord
Pleanála

**Ordú Boird
Board Order
ABP-308431-20**

**Na hAchtanna um Pleanáil
agus Forbairt 2000 go 2020
Údarás Pleanála: Comhairle
Contae na Gaillimhe**

**Planning and Development
Acts 2000 to 2020
Planning Authority: Galway
County Council**

Iarratas ar chead faoi alt 4 den Acht um Pleanáil agus Forbairt (Tithíocht) agus Tionóntachtaí Cónaithe 2016, arna leasú de réir pleananna agus sonraí, arna dtaisceadh leis an mBord Pleanála an 16ú lá de Dheireadh Fómhair 2020 ag Burkeway Homes Limited faoi chúram MKO Planning agus Environmental Consultants ar Bhóthar Thuama, Gallimh, Contae na Gaillimhe.

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended in accordance with plans and particulars, lodged with An Bord Pleanála on the 16th day of October 2020 by Burkeway Homes Limited care of MKO Planning and Environmental Consultants of Tuam Road, Galway, County Galway.

**Tá an Fhorbairt a Bheartaítear
comhdhéanta de:**

**Proposed Development
comprises of the following:**

(a) Foirgnimh atá ann a scartadh.

(a) Demolition of existing outbuildings.

(b) 121 (uimhir) aonaid chónaithe a thógáil comhdhéanta de:

- 52 (uimhir) teach (37 (uimhir) trí leaba, 15 (uimhir) ceithre leaba),
- Ceithre (uimhir) aonad árasán dhá urlár i mBloc Árasán Dhá Urlár D1 (dhá (uimhir) dhá leaba (aonaid ar urlár na talún) agus dhá (uimhir) trí leaba (aonaid dhá urlár)),
- Ocht (uimhir) n-aonad árasán dhá urlár i mBloc Árasán Dhá Urlár D2 (ceithre (uimhir) dhá leaba (aonaid ar urlár na talún) agus ceithre (uimhir) trí leaba (aonaid dhá urlár)),
- Sé (uimhir) aonad árasán dhá urlár i mBloc Árasán Dhá Urlár D3 (trí (uimhir) dhá leaba (aonaid ar urlár na talún) agus trí (uimhir) trí leaba (aonaid dhá urlár)),
- 14 (uimhir) aonad árasán dhá urlár i mBloc Árasán Dhá Urlár D4 (seacht (uimhir) dhá leaba (aonaid ar urlár na talún)

(b) Construction of 121 number residential units comprising:

- 52 number houses (37 number three-beds, 15 number four-beds),
- Four number duplex units in Duplex Block D1 (two number two-beds (ground floor units) and two number three-beds (two-storey units)),
- Eight number duplex units in Duplex Block D2 (four number two-beds (ground floor units) and four number three-beds (two-storey units)),
- Six number duplex units in Duplex Block D3 (three number two-beds (ground floor units) and three number three-beds (two-storey units)),
- 14 number duplex units in Duplex Block D4 (seven number two-beds (ground floor units) and seven number three-beds (two-storey units)),

- agus seacht (uimhir) trí leaba (aonaid dhá urlár)),
- Ceithre (uimhir) aonad árasán dhá urlár i mBloc Ardán T5 (dhá (uimhir) dhá leaba (aonaid ar urlár na talún) agus dhá (uimhir) trí leaba (aonaid dhá urlár)),
 - 14 (uimhir) árasáin i mBloc árasáin A1 (cúig (uimhir) leaba amháin, naoi (uimhir) dhá leaba),
 - 13 (uimhir) árasán i mBloc árasáin A2 (ceithre (uimhir) leaba amháin, naoi (uimhir) dhá leaba agus seomra Ilchuspóireach),
 - Dhá (uimhir) árasán i mBloc árasáin A3 (dhá (uimhir) dhá leaba),
 - Ceithre (uimhir) árasán i mBloc árasáin A4 (ceithre (uimhir) dhá leaba).
- (c) Saoráid naíolainne (224.80 méadar cearnach), áiteanna súgartha lasmuigh agus páirceáil gaolmhara a fhorbairt.
- Four number duplex units in Terrace Block T5 (two number two-beds (ground floor units) and two number three-beds (two-storey units)),
 - 14 number apartments in apartment Block A1 (five number one-beds, nine number two-beds),
 - 13 number apartments in apartment Block A2 (four number one-beds, nine number two-beds and a multipurpose room),
 - Two number apartments in apartment Block A3 (two number two-beds),
 - Four number apartments in apartment Block A4 (four number two-beds).
- (c) Development of a crèche facility (224.80 square metres), associated outdoor play areas and parking.

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| (d) Nasc nascachta cosáin a sholáthar feadh an L-1321. | (d) Provision of a footpath connectivity link along the L-1321. |
| (e) Spás oscailte comhchoiteann agus príobháideach, páirceáil do charranna agus do rothair, tírdhreachú láithreáin agus soilsiú poiblí a sholáthar, an gléasra cóireála fuíolluisce atá ann a chur ó mhaith, gach seirbhís, rochtain ón L-1321 trí fhorbairt Chnoc Fraoigh agus na hoibreacha forbartha láithreáin uile lena mbaineann a sholáthar. | (e) Provision of shared communal and private open space, car and bicycle parking, site landscaping and public lighting, decommissioning of the existing wastewater treatment plant and provision of all services, access from the L-1321 via the Cnoc Fraoigh development and all associated site development works. |
| (f) Páirc líneach phoiblí a sholáthar feadh Shruthán an Troscaigh, iad uile suite ag an láithreán seo i mbaile fearainn Throscaigh Thoir, Throiscaigh Thiar, An Chéibh agus Áth an Ghlugair, Barna, Contae na Gailimhe. | (f) Provision of a public linear park along the Trusky Stream all located at this site in the townlands of Trusky East, Trusky West, Freeport and Ahaglugger, Bearna, County Galway. |

An Cinneadh

Cead a dheonú don fhorbairt thuas a bheartaítear de réir na bpleananna agus na sonraí ráite bunaithe ar na cúiseanna agus ar na nithe faoi agus faoi réir na gcoinníollacha atá leagtha amach thíos.

Na Nithe a Cuireadh san Áireamh

Agus a chinneadh á dhéanamh aige, thug an Bord aird ar na hábhair sin a raibh sé de cheangal orthu, de bhua na nAchtanna um Pleanáil agus Forbairt agus na Rialachán a rinneadh fúthu, aird a thabhairt orthu. Áiríodh ar na nithe sin aon aighneachtaí agus tuairimí a fuair sé de réir na bhforálacha reachtúla.

Cúiseanna agus Nithe a Cuireadh San Áireamh

Agus a chinneadh á dhéanamh aige, thug an Bord aird ar na nithe seo a leanas:

- (a) Na beartais agus na cuspóirí mar atá leagtha amach i bPlean Forbartha Chontae na Gaillimhe 2015-2021;
- (b) Forálacha Phlean Gníomhaíochta Atógáil na

Decision

Grant permission for the above proposed development in accordance with the said plans and particulars 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

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

- (a) The policies and objectives as set out in the Galway County Development Plan 2015-2021;
- (b) The provisions of the RebuildingIreland Action Plan for

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| | hÉireann um Thithíocht agus Easpa Dídine 2016; | | Housing and Homelessness 2016; |
| (c) | Forálacha na dTreoirínte um Fhorbairt Uirbeach agus Airde Foirgníochta d'Údaráis Phleanála, a d'ullmhaigh an Roinn Tithíochta, Pleanála agus Rialtais Áitiúil i mí na Nollag 2018; | (c) | The provisions of the Urban Development and Building Heights Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018; |
| (d) | Forálacha an Lámhleabhair Dhearaidh do Bhóithre agus Sráideanna Uirbeacha a d'eisigh an Roinn Iompair, Turasóireachta agus Spóirt agus ag an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil i Márta 2019, arna leasú; | (d) | The provisions of 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 2019, as amended; |
| (e) | Forálacha na dTreoirínte um Fhorbairtí Cónaithe Inbhuanaithe i gCeantair Uirbeacha agus an Lámhleabhar um Dhearadh Uirbeach a ghabhann leo, Treoir Dea-Chleachtais, a d'eisigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil i mBealtaine 2009; | (e) | The provisions of the Guidelines for Sustainable Residential Developments 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; |
| (f) | Forálacha na Tithíochta Uirbí Inbhuanaithe: Caighdeáin Dearaidh d'Árasáin Nua, Treoirínte d'Údaráis Phleanála | (f) | The provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning |

<p>arna n-eisiúint ag an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil i Márta 2018;</p>	<p>Authorities issued by the Department of the Environment, Community and Local Government in March 2018;</p>
<p>(g) Forálacha an Chórais Phleanála agus Bainistíocht Riosca Tuilte d'Údaráis Phleanála (lena n-áirítear na hAguisíní Teicniúla gaolmhara), a d'eisigh an Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil in 2009;</p>	<p>(g) The provisions of the Planning System and Flood Risk Management for Planning Authorities (including the associated Technical Appendices), issued by the Department of the Environment, Heritage and Local Government in 2009;</p>
<p>(h) Cineál, scála agus dearadh na forbartha a bheartaítear;</p>	<p>(h) The nature, scale and design of the proposed development;</p>
<p>(i) Raon leathan bonneagair shóisialta, phobail agus iompair a bheith ar fáil sa limistéar;</p>	<p>(i) The availability in the area of a wide range of social, community and transport infrastructure;</p>
<p>(j) Patrún na forbartha atá ann cheana agus atá ceadaithe sa cheantar;</p>	<p>(j) The pattern of existing and permitted development in the area;</p>
<p>(k) Stair na pleanála sa cheantar;</p>	<p>(k) The planning history within the area;</p>
<p>(l) Na haighneachtaí agus na tuairimí a fuarthas,</p>	<p>(l) The submissions and observations received,</p>
<p>(m) Tuarascáil Phríomhfheidhmeannach Chomhairle Contae na Gaillimhe, agus</p>	<p>(m) The report of the Chief Executive of Galway County Council, and</p>
<p>(n) tuarascáil an Chigire Phleanála.</p>	<p>(n) the report of the planning Inspector.</p>

Measúnú Oiriúnachta: Céim 1

Chuir an Bord cleachtadh scagtha um Measúnú Oiriúnachta i gcrích maidir le héifeachtaí féideartha na forbartha a bheartaítear ar Láithreáin Eorpacha ainmnithe, ag cur san áireamh cineál, scála agus suíomh na forbartha a bheartaítear laistigh de láithreán uirbeach criosaithe agus seirbhísithe, an Tuarascáil Scagtha Measúnachta Oiriúnacht a cuireadh isteach leis an iarratas, Tuarascáil an Chigire, agus aighneachtaí ar an gcomhad. Agus an cleachtadh scagtha á chur i gcrích aige, ghlac an Bord tuarascáil an Chigire agus tháinig sé ar an gconclúid nach dócha go mbeadh éifeacht shuntasach ag an bhforbairt a bheartaítear ar aon láithreán Eorpach i bhfianaise na gcuspóirí caomhnaithe do na láithreáin sin, seachas Limistéar faoi Chaomhnú Speisialta Choimpléasc Cuan Bhá na Gaillimhe (Cód Láithreáin: 000268) agus Limistéar faoi Chosaint Speisialta Bhá Istigh na Gaillimhe (Cód Láithreáin: 004031) ar láithreáin Eorpacha iad a bhfuil dóchúlacht suntasach ann go mbeidh éifeachtaí suntasacha orthu.

Appropriate Assessment: Stage 1

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector's Report, and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, other than European Site Galway Bay Complex Special Area of Conservation (Site Code: 000268) and European Site Inner Galway Bay Special Protection Area (Site Code: 004031) which are European sites for which there is a likelihood of significant effects.

Measúnú Oiriúnachta: Céim 2

Bhreithnigh an Bord ráiteas tionchair Natura agus gach aighneacht ábhartha eile agus rinne sé Measúnú Oiriúnachta ar impleachtaí na forbartha a bheartaítear ar Limistéar faoi Chaomhnú Speisialta Choimpléasc Chuan na Gaillimhe (Cód Láithreáin: 000268) agus Limistéar faoi Chosaint Speisialta Bhá Istigh na Gaillimhe (Cód Láithreáin: 004031), i bhfianaise chuspóirí caomhnaithe na láithreán. Mheas an Bord go raibh an fhaisnéis a bhí ann leordhóthanach chun go bhféadfaí Measúnú Oiriúnachta a dhéanamh.

Agus an measúnú oiriúnachta á chur i gcrích aige, bhreithnigh an Bord, go háirithe, na rudaí seo a leanas:

- (a) na tionchair dhíreacha agus indíreacha dóchúla a eascróidh as an bhforbairt a bheartaítear ina n-aonair nó i gcomhcheangal le pleananna nó tionscadail eile,
- (b) na bearta maolaithe a chuimsítear mar chuid den togra reatha, agus
- (c) na cuspóirí caomhnaithe do na láithreáin Eorpacha.

Appropriate Assessment: Stage 2

The Board considered the Natura impact statement and all other relevant submissions and carried out an Appropriate Assessment of the implications of the proposed development on Galway Bay Complex Special Area of Conservation (Site Code: 000268) and Inner Galway Bay Special Protection Area (Site Code: 004031), in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the appropriate assessment, the Board considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European sites.

Agus an Measúnú Oiriúnachta á chur i gcrích aige, ghlac an Bord leis an Measúnú Oiriúnachta a rinneadh i dtuarascáil an Chigire maidir le héifeachtaí féideartha na forbartha a bheartaítear ar na Láithreáin Eorpacha thuasluaite, ag féachaint do na cuspóirí caomhnaithe do na láithreáin .

Mar chonclúid fhoriomlán, bhí an Bord sásta nach ndéanfaidh an fhorbairt a bheartaítear, leis féin nó i gcomhcheangal le pleananna nó tionscadail eile, difear diúltacht do shláine Láithreáin Eorpacha i bhfianaise na gcuspóirí caomhnaithe do na láithreáin. Tá an chonclúid seo bunaithe ar mheasúnú iomlán ar gach gné den tionscadal a bheartaítear agus níl aon amhras eolaíoch réasúnach ann maidir le heaspa éifeachtaí díobhálacha.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites in view of the sites conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Measúnú Tionchair

Timpeallachta

Chríochnaigh an Bord measúnú tionchair timpeallachta ar an bhforbairt a bheartaítear, ag cur san áireamh:

- (a) Cineál, scála, suíomh agus méid na forbartha a bheartaítear;
- (b) An tuarascáil ar mheasúnú tionchair timpeallachta agus na cáipéisí gaolmhara a cuireadh isteach leis an iarratas;
- (c) Na tuarascálacha agus na haighneachtaí a fuarthas ó dhaoine a chuir tuairimí isteach agus ó chomhlachtaí forordaithe agus aighneacht bhreise an iarratasóra le linn an iarratais;
- (d) Tuarascáil an Chigire;

D'aontaigh an Bord leis an achoimre ar thorthaí na gcomhairliúchán agus le faisnéis a fuarthas le linn an Mheasúnaithe Tionchair Timpeallachta, agus scrúdú na faisnéise atá sa Tuarascáil ar Mheasúnú Tionchair Timpeallachta agus na cáipéisí gaolmhara a chuir an t-iarratasóir isteach agus na haighneachtaí a rinneadh i gcúrsa an

Environmental Impact

Assessment

The Board completed an environmental impact assessment of the proposed development, taking into account:

- (a) The nature, scale, location and extent of the proposed development;
- (b) The environmental impact assessment report and associated documentation submitted with the application;
- (c) The reports and submissions received from observers and prescribed bodies and the applicant's further submission in the course of the application;
- (d) The Inspector's report;

The Board agreed with the summary of the results of consultations and information received in the course of the Environmental Impact Assessment, and the examination of the information contained in the Environmental Impact Assessment Report and the associated documentation submitted by the applicant and the submissions made in the course of the application as set out

iarratais mar atá leagtha amach i dtuarascáil an Chigire. Tá an Bord sásta go leagann tuarascáil an Chigire amach conas a tugadh aghaidh ar na saincheisteanna comhshaoil éagsúla seo sa scrúdú agus sa mholadh agus mar a ionchorpraítear iad i gcinneadh an Bhoird.

Conclúidí Réasúnaithe ar na hÉifeachtaí Suntasacha:

Mheas an Bord gur chuir an Tuarascáil ar an Measúnú Tionchair Timpeallachta, le tacaíocht ón doiciméadú a chuir an t-iarratasóir isteach, faisnéis ar fáil atá réasúnta agus leordhóthanach chun go bhféadfadh an Bord teacht ar chonclúid réasúnaithe ar éifeachtaí suntasacha an tionscadail ar an gcomhshaoil, ag cur san áireamh an t-eolas reatha agus modhanna measúnaithe. Tá an Bord sásta go bhfuil an fhaisnéis atá sa Tuarascáil ar Mheasúnacht Tionchair Timpeallachta cothrom le dáta agus go gcomhlíonann sí forálacha Threoir an AE 2014/52 / an AE lena leasaítear Treoir 2011/92 / AE. Mheas an Bord gurb iad príomhéifeachtaí díreacha agus

in the Inspector's report. The Board is satisfied that the Inspector's report sets out how these various environmental issues were addressed in the examination and recommendation and are incorporated into the Board's decision.

Reasoned Conclusions on the Significant Effects:

The Board considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, provided information which is reasonable and sufficient to allow the Board to reach a reasoned conclusion on the significant effects of the project on the environment, taking into account current knowledge and methods of assessment. The Board is satisfied that the information contained in the Environmental Impact Assessment Report is up to date and complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU. The Board considered that the main significant direct and indirect effects of the proposed development on the

indíreacha na forbartha a bheartaítear ar an gcomhshaol iad siúd a eascraíonn as na tionchair atá liostaithe thíos. Is é Plean Bainistíochta Tógála agus Comhshaoil an maolú ginearálta uileghabhálach atá leabaithe i ndearadh agus i seachadadh an tionscadail do chéim na tógála. Is iad na príomhéifeachtaí suntasacha, idir dhearfacha agus diúltacha:

- Éifeacht dhíreach dhearfach shuntasach maidir le daonra agus sócmhainní ábhartha mar gheall ar an méadú ar an stoc tithíochta a chuirfí ar fáil i mBarna agus i Limistéar Cathrach na Gaillimhe, a bhfuil Barna suite ann.
- Tionchair Bhithéagsúlachta: Maolófar tionchair dhíreacha shuntasacha áitiúla ar fhlóra agus fána atá ann cheana trí raon beart a shainaithnítear sa Tuarascáil ar Mheasúnú Tionchair Timpeallachta, lena n-áirítear bearta bainistíochta tógála, coinneáil na conaire bruachánach atá ann cheana ar feadh Shruthán an Troscaigh agus tírdhreachú. Ní bheadh aon tionchar diúltach suntasach

environment are those arising from the impacts listed below. A Construction and Environmental Management Plan is the overarching general mitigation embedded in the project design and delivery for the construction stage. The main significant effects, both positive and negative are:

- A significant direct positive effect with regard to population and material assets due to the increase in housing stock that would be made available in Bearna and to the Galway Metropolitan Area, within which Bearna is located.
- Biodiversity Impacts: Significant direct local impacts on existing flora and fauna will be mitigated by a range of measures identified in the Environmental Impact Assessment Report, including construction management measures, retention of the existing riparian corridor along Trusky Stream and landscaping. The proposed development would not have a significant negative impact on biodiversity.

ag an bhforbairt a bheartaítear ar an mbithéagsúlacht.

- Éifeachtaí féideartha ar uisce mar gheall ar shuíomh na forbartha cónaithe cóngarach do Shruthán an Troscaigh agus an baol tuilte. Is leor an fhaisnéis a cuireadh isteach sa Tuarascáil ar Mheasúnú Tionchair Timpeallachta agus sa doiciméadú a cuireadh isteach leis an iarratas maidir leis na bearta atá beartaithe chun an tionchar seo a mhaolú chun a thaispeáint gur dóigh go n-éireoidh le bearta den sórt sin an fhorbairt a bheartaítear a chosaint ó thuilte agus an tástáil fhírinnithe a chomhlíonadh d'fhorbairt chónaithe laistigh de chriosanna riosca tuile A agus B, mar atá leagtha síos i dTreoirínte 2009 maidir le Córas Pleanála agus Bainistíocht Riosca Tuilte d'Údaráis Phleanála (lena n-áirítear na hAguisíní Teicniúla gaolmhara), a d'eisigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil in 2009.
- Trácht agus lompar: Déanfar na féidearthachtaí do thionchair ghearrthéarmacha measartha i
- Potential effects on water due to the location of residential development proximate to Trusky Stream and risk of flooding. The information submitted in the Environmental Impact Assessment Report and the other documentation submitted with the application regarding the proposed measures to mitigate this impact is sufficient to demonstrate that such measures are likely to be successful in protecting the proposed development from flooding and comply with the justification test for residential development within flood risk zones A and B, as set down in the 2009 Guidelines on Planning System and Flood Risk Management for Planning Authorities (including the associated Technical Appendices), issued by the Department of the Environment, Heritage and Local Government in 2009.
- Traffic and Transport: Potential for moderate short-term impacts in terms of construction traffic will

dtéarmaí trácht tógála a mhaolú mar chuid de Phlean Bainistíochta Foirgníochta agus Comhshaoil. Ní bheidh aon tionchar diúltach suntasach ar acomhail tráchta sa gharcheantar .

- Tionchair Tírdhreacha agus Amhairc: Tionchar suntasach ar an tírdhreach mar go mbeidh radhairc athraithe ann ó áiteanna éagsúla i bhfianaise an athraithe ó láithreán úrnua go forbairt chónaithe, mar sin féin, tá na tailte criosaithe d'fhorbairt chónaithe agus níltear ag súil go mbeidh sé riachtanach gnéithe nua nó gnéithe neamhshainiúla a thabhairt isteach sa suíomh carachtar tírdhreacha áitiúil nó ginearálta, i gcoibhneas leis an méid atá ann sa gharcheantar agus sa cheantar i gcoitinne. Déanfar an tionchar a mhaolú trí dhearadh, dorchla bruachánach a choinneáil, agus tírdhreachú beartaithe. Ní bheadh aon tionchar diúltach suntasach ar an tírdhreach ag an bhforbairt a bheartaítear.
- Tionchair fhéideartha ar cháilíocht an aeir agus ar an aeráid, a mhaolófar trí bhearta

be mitigated as part of a Construction and Environmental Management Plan. There will be no significant negative impact on traffic junctions in the immediate area.

- Landscape and Visual Impacts: A significant effect on the landscape as there will be changed views from various locations given the change from a greenfield site to a residential development, however, the lands are zoned for residential development and the proposal is not expected to involve the introduction of new or uncharacteristic features into the local or wider landscape character setting, relative to what exists in the immediate and wider area. The potential impact will be mitigated by the design, retention of a riparian corridor, and proposed landscaping. The proposed development would not have a significant negative impact on the landscape.
- Potential impacts on air quality and climate, which will be mitigated by measures set out in

atá leagtha amach sa
Tuarascáil ar Mheasúnú
Tionchair Timpeallachta.

- Éifeachtaí féideartha a eascróidh as torann agus tonnchrith le linn na tógála, a mhaolófar le bearta bainistíochta iomchuí.

the Environmental Impact
Assessment Report.

- Potential effects arising from noise and vibration during construction, which will be mitigated by appropriate management measures.

Conclúidí maidir le Pleanáil Chuí agus Forbairt Inbhuanaithe

Mheas an Bord, faoi réir na gcoinníollacha a leagtar amach thíos a bheith comhlíonta, go mbeadh an fhorbairt a bheartaítear ina dlús cónaithe inghlactha ag an láthair seo, nach ndéanfadh sí díobháil thromchúiseach do thaitneamhacht chónaithe nó amhairc an cheantair, go mbeadh sí inghlactha i dtéarmaí dearadh uirbeach, airde agus candam na forbartha agus inghlactha i dtéarmaí bainistíocht uisce dromchla agus sábháilteacht agus áisiúlacht tráchta agus coisithe .

Mheas an Bord, cé nach sáródh deonú ceada don Fhorbairt Straitéiseach Tithíochta beartaithe cuspóir criosaithe an phlean reachtúil

Conclusions on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenity of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of surface water management and traffic and pedestrian safety and convenience.

The Board considered that, while a grant of permission for the proposed Strategic Housing Development would not materially contravene a zoning

don cheantar, go bhféadfadh deonú ceada sárú ábhartha a dhéanamh ar fhorálacha na croí-straitéise agus an dlúis. Measann an Bord, ag féachaint d'fhorálacha alt 37(2)(b)(i), (ii) agus (iii) den Acht um Pleanáil agus Forbairt 2000, arna leasú, go mbeadh deonú ceada mar shárú ábhartha ar Phlean Forbartha Chontae na Gaillimhe 2015-2021 inchosanta ar na cúiseanna agus de bharr na nithe seo a leanas:

Maidir le halt 37(2)(b)(i) den Acht Pleanála agus Forbartha 2000, arna leasú:

Meastar go bhfuil tábhacht straitéiseach agus náisiúnta ag baint leis an bhforbairt a bheartaítear ag féachaint don sainmhíniú ar 'forbairt tithíochta straitéisí' de bhun alt 3 den Acht um Pleanáil agus Forbairt (Tithíocht) agus Tionóntachtaí Cónaithe 2016, arna leasú; agus a chumas cur le gnóthú bheartas an Rialtais chun seachadadh tithíochta a mhéadú ón tearc-sholáthar atá ann faoi láthair mar atá leagtha amach i bPlean Gníomhaíochta Atógáil na hÉireann um Thithíocht agus Easpa Dídine 2016.

objective of the statutory plan for the area, a grant of permission could materially contravene provisions of the core strategy and density. The Board considers that, having regard to the provisions of section 37(2)(b)(i), (ii) and (iii) of the Planning and Development Act 2000, as amended, the grant of permission in material contravention of the Galway County Development Plan 2015-2021 would be justified for the following reasons and considerations:

In relation to section 37(2)(b)(i) of the Planning and Development Act 2000, as amended:

The proposed development is considered to be of strategic and national importance having regard to the definition of 'strategic housing development' pursuant to section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended; and its potential to contribute to the achievement of the Government's policy to increase delivery of housing from its current under-supply as set out in Rebuilding Ireland Action Plan for Housing and Homelessness 2016.

Maidir le halt 37(2)(b)(ii) den Acht um Pleanáil agus Forbairt 2000, arna leasú:

Ní luaitear cuspóirí an phlean forbartha go soiléir a mhéid a bhaineann siad leis an bhforbairt, maidir leis an raon dlúis a mholtar laistigh de ‘Treoirlíne DM1’ agus cur i bhfeidhm CS8 agus an soláthar gaolmhar maidir le dlús sa chroí-straitéis.

Maidir le halt 37(2)(b)(iii) den Acht um Pleanáil agus Forbairt 2000, arna leasú:

Measann an Bord go sáraíonn an fhorbairt a bheartaítear an Croí-Straitéis agus an Dlús mar atá leagtha amach i bPlean Forbartha Contae na Gaillimhe 2015-2021.

Maidir leis an gCroí-Straitéis, cé go bhfuil an togra ag sárú an toraidh tithíochta de 130 aonad uimhreacha a shanntar do Bharna, tá an fhorbairt ar gach bealach eile ag teacht le prionsabail na pleanála cearta agus na forbartha inbhuanaithe, agus tá sé ar scála agus ar nádúr nach mbaineann, i dtuairim an Bhoird, an bonn go suntasach d’ordlathas lonnaíochta an chontae, d’ainneoin sárú na sprice tithíochta, nó an patrún fáis atá beartaithe agus ní bhaineann

In relation to section 37(2)(b)(ii) of the Planning and Development Act 2000, as amended:

The objectives of the development plan are not clearly stated in so far as the development is concerned, with regard to the density range proposed within ‘DM Guideline DM1’ and the application of CS8 and the associated core strategy density provision.

In relation to section 37(2)(b)(iii) of the Planning and Development Act 2000, as amended:

The Board considers that the proposed development materially contravenes the Core Strategy and Density as set out in the Galway County Development Plan 2015-2021.

In relation to Core Strategy, while the proposal is in breach of the housing yield of 130 number units assigned to Bearna, the development in all other regards accords with the principles of proper planning and sustainable development, and is of a scale and nature, that in the opinion of the Board, does not significantly undermine the county’s settlement hierarchy, notwithstanding the breach of the housing target, or proposed pattern of growth and does not undermine the

sé an bonn de phrionsabail an fháis dhlúth agus na forbartha inbhuanaithe don chontae ná don bhaile. Maidir leis seo, tugann an Bord dá aire go ndéanfaidh na tailte criosaithe, inseirbhísithe, agus seicheamhach go spásúil don lonnaíocht, soláthar d'fhorbairt dlús réasúnta le raon cineálacha tithe, go mbreiseoidh sé agus go bhfeabhsóidh sé nascacht coisithe. laistigh de Bharna, chomh maith le tailte taitneamhachta a sholáthar agus a oscailt. Tá athbhreithniú agus breithniú déanta ag an mBord ar fhorálacha Chreat Pleanála Náisiúnta Thionscadal Éireann 2040, Straitéis Spásúil agus Eacnamaíoch Réigiúnach an Tuaiscirt agus an Iarthair agus Plean Straitéiseach an Cheantair Chathrach, agus Phlean Forbartha Contae na Gaillimhe 2015-2021 a bhaineann le Barna agus tá sé sásta, d'ainneoin na bprionsabal uileghabhálach agus na spriocanna daonra ardleibhéil i gCreat Pleanála Náisiúnta Thionscadal Éireann 2040 agus i Straitéis Spásúlachta agus Eacnamaíoch Réigiúnach an Tuaiscirt agus an Iarthair, níl aon chuspóirí sonracha ná spriocanna daonra sna pleananna náisiúnta a cheanglaítear ar an bplean forbartha

principles of compact growth and sustainable development for the county or town. In this regard the Board notes that in respect of the subject site, the lands are zoned, serviceable, and spatially sequential to the settlement, will provide for a development of a reasonable density with a range of house types, will enhance and improve pedestrian connectivity within Bearna, as well as provide for and open up amenity lands. The Board have reviewed and considered the provisions of Project Ireland 2040 National Planning Framework, Northern and Western Regional Assembly Regional Spatial and Economic Strategy and the Metropolitan Area Strategic Plan, and Galway County Development Plan 2015-2021 Core Strategy relating to Bearna and is satisfied, that notwithstanding the overarching principles and high level population targets in the Project Ireland 2040 National Planning Framework and the Northern and Western Regional Assembly Regional Spatial and Economic Strategy, there are no specific objectives or population targets in the national plans that the development plan is required to meet at a micro level relating to Bearna. The

a chomhlíonadh ar mhicri-leibhéal maidir le Barna. Tá an fhorbairt i gcomhréir le prionsabail agus cuspóirí leathana dhoiciméid na gcreataí náisiúnta agus réigiúnacha pleanála. Chuirfeadh an togra le cuspóirí Straitéis Spásúlachta agus Eacnamaíoch Réigiúnach an Tuaiscirt agus an Iarthair agus Plean Straitéiseach Limistéar Cathrach na Gaillimhe atá ann, áit a n-aithnítear Barna mar láithreán deiseanna cónaithe i bPlean Straitéiseach an Cheantair Chathrach agus inarb é an príomhstraitéis comhdhlúthú agus forbairt de dhlús níos airde ar thailte criosaithe. Bheadh an fhorbairt a bheartaítear ag teacht le forbairt inbhuanaithe Bharna agus le cuspóirí foriomlána Cheantar Cathrach na Gaillimhe i bhfoirm atá réasúnta dlúth agus comhleanúnach agus bheadh sí ag teacht le forálacha an Chreata Pleanála Náisiúnta ina leith seo. Meastar gur cheart cead a thabhairt don fhorbairt bheartaithe ag féachaint do bheartais an Rialtais mar atá leagtha amach i gCreat Pleanála Náisiúnta Thionscadal Éireann 2040, go sonrach Cuspóirí Beartais Náisiúnta 27, 33 agus 35; agus na Treoirlínte um Fhorbairtí Cónaithe Inbhuanaithe i gCeantair Uirbeacha

development is in accordance with the broad principles and objectives of the national and regional planning framework documents. The proposal would contribute to the objectives of the adopted Northern and Western Regional Assembly Regional Spatial and Economic Strategy and the Galway Metropolitan Area Strategic Plan contained therein, where Barna is identified as a residential opportunity site in the Metropolitan Area Strategic Plan and the primary strategy is for consolidation and higher density development on zoned lands. The proposed development would be in keeping with the sustainable development of Barna and overall of the Galway Metropolitan Area in a reasonably compact and coherent form and would be consistent with the provisions of the National Planning Framework in this regard. It is considered that permission for the proposed development should be granted having regard to Government policies as set out in the Project Ireland 2040 National Planning Framework, specifically National Policy Objective 27, 33 and 35; and the Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual, A Best Practice

agus an Lámhleabhar um Dhearadh Uirbeach a ghabhann leis, Treoir Dea-Chleachtais, a d'eisigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil i mBealtaine 2009 (go háirithe Caibidil 5).

Maidir le Dlús, is é tuairim an Bhoird go bhfuil an fhorbairt a bheartaítear de réir Chreat Pleanála Náisiúnta Thionscadal Éireann 2040, go sonrach Cuspóirí Beartais Náisiúnta 27, 33, agus 35; na Treoirlínte um Fhorbairt Uirbeach agus Airde Foirgníochta d'Údaráis Phleanála, a d'ullmhaigh an Roinn Tithíochta, Pleanála agus Rialtais Áitiúil i mí na Nollag 2018 Sainriachtanas Beartas Pleanála Spcific 4; agus na Treoirlínte um Fhorbairtí Cónaithe Inbhuanaithe i gCeantair Uirbeacha agus an Lámhleabhar um Dhearadh Uirbeach a ghabhann leis, Treoir Dea-Chleachtais, a d'eisigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil i mBealtaine 2009 (go háirithe Caibidil 5).

Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009 (in particular Chapter 5).

In relation to Density, it is the opinion of the Board that the proposed development is in accordance with the Project Ireland 2040 National Planning Framework, specifically National Policy Objective 27, 33, and 35; the Urban Development and Building Heights Guidelines for Planning Authorities, prepared by the Department of Housing, Planning and Local Government in December 2018 Specific Planning Policy Requirement 4; and the Guidelines for Sustainable Residential Developments 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 (in particular Chapter 5).

Coinníollacha

1. Déanfar an fhorbairt agus críochnófar í de réir na bpleananna agus na sonraí a taisceadh leis an iarratas, ach amháin mar a cheanglófaí a mhalairt chun na coinníollacha seo a leanas a chomhlíonadh. I gcás ina gceanglaíonn na coinníollacha sin sonraí a chomhaontú leis an údarás pleanála, comhaontóidh an forbróir na sonraí sin i scríbhinn leis an údarás pleanála sula dtosófar ar an bhforbairt nó cibé slí eile a shonraítear sna coinníollacha faoi seo, agus déanfar an fhorbairt agus cuirfear i gcrích í de réir na sonraí comhaontaithe. In éagmais comhaontú, tarchuirfear an t-ábhar / na hábhair atá faoi dhíospóid chuig an mBord Pleanála lena chinneadh.

An chúis: Ar mhaithe le soiléire.

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 or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Beartha maolaithe agus monatóireachta atá leagtha amach sna pleananna agus sna sonraí, lena n-áirítear sa Tuarascáil ar Mheasúnú Tionchair Timpeallachta agus ráiteas tionchair Natura, mar atá leagtha amach i gCaibidil 16 den Tuarascáil ar Mheasúnú Tionchair Timpeallachta 'Sceideal Maolaithe' agus in Alt 5.2 de ráiteas tionchair Natura, cuirfear i gcrích iad ina n-iomláine, ach amháin nuair a cheanglaítear a mhalairt i gcoinníollacha a ghabhann leis an gcead seo.

An chúis: Ar mhaithe leis an gcomhshaol a chosaint agus ar mhaithe le sláinte an phobail.

3. Leasófar an fhorbairt a bheartaítear mar seo a leanas:

(a) Déanfar pleananna tógála mionsonraithe agus sonraí agus plean bainistíochta tógála gaolmhar i ndáil leis na hoibreacha atá beartaithe do bhóthar L1321, lena n-áirítear soilsiú poiblí agus draenáil

2. Mitigation and monitoring measures outlined in the plans and particulars, including the Environmental Impact Assessment Report and Natura impact statement, as set out in Chapter 16 of the Environmental Impact Assessment Report 'Schedule of Mitigation' and in Section 5.2 of the Natura impact statement, shall be carried out in full, except where otherwise required by conditions attached to this permission.

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

3. The proposed development shall be amended as follows:

(a) Detailed construction plans and particulars and an associated construction management plan in relation to the works proposed to the L1321 road, including public lighting and surface water

uisce dromchla, a chur faoi bhráid an údaráis phleanála agus a aontú i scríbhinn leis roimh thús na forbartha. Mar atá cheanglaítear i 17(a) faoi seo ní áiteofar aon aonad sula gcríochnófar an cosán agus na feabhsúcháin ghaolmhara ar bhóthar an L1321.

- (b) Soláthrófar stiall phríobháideachta ar leibhéal na talún do na hárasáin i mBloc A4, agus idir Bloic A1 agus A2, áit a bhfuil fuinneoga leibhéal na talún tadhlach le cosáin phoiblí.
- (c) Déanfar ingearchló thoir Bloc A3 a athbhreithniú trí fhuinneoga breise a sholáthar chun féachaint anuas leordhóthanach a sholáthar an spás oscailte tadhlach.

drainage, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. As conditioned in 17(a) hereunder no unit shall be occupied prior to the completion of the footpath and associated improvements to the L1321 road.

- (b) A planted privacy strip shall be provided at ground level to the apartments in Block A4, and between Blocks A1 and A2, where ground level windows adjoin public footpaths.
- (c) The eastern elevation of Block A3 shall be revised with the provision of additional windows to provide adequate overlooking of the adjoining open space.

Cuirfear pleananna agus sonraí athbhreithnithe a léiríonn go gcomhlíontar na ceanglais seo faoi bhráid an údaráis phleanála agus comhaontófar i scríbhinn iad sula dtosófar ar an bhforbairt.

An chúis: Ar mhaithe le taitneamhacht chónaithe, taitneamhacht amhairc, leis an ríocht phoiblí agus cosaint éiceolaíoch.

4. Déanfar 20% ar a laghad de na tithe a cheadaítear leis seo a theorannú n-úsáid mar thithe ag daoine a fhéadann an teanga agus cultúr na Gaeltachta a chaomhnú agus a chosaint, mura gcomhaontaítear a mhalairt i scríbhinn leis an údarás phleanála, go ceann tréimhse 15 bliana. Cuirfidh an forbróir Ráiteas Tionchair Teangeolaíoch comhlánaithe faoi bhráid an údaráis phleanála ag soláthar sonraí maidir le comhlíonadh an cheanglais seo sula dtosófar ar an bhforbairt. Sula dtosófar ar an bhforbairt, déanfaidh an forbróir

Revised plans and particulars 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 amenity, visual amenity, public realm and ecological protection.

4. 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 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

comhaontú dlíthiúil leis an údarás pleanála faoi fhorálacha alt 47 den Acht um Pleanáil agus Forbairt, 2000, arna leasú, agus arb iad a chuspóirí cuid d'eilimintí cónaithe na forbartha a cheadaítear leis seo d'úsáid áitritheoirí a bhfuil inniúlacht agus líofacht chuí acu sa Ghaeilge a theorannú nó a rialú. Aontófar i scríbhinn leis an údarás pleanála sonraí faoi chaighdeán na Gaeilge atá le baint amach agus an modh chun é seo a mheas sula gcuirfear an comhaontú i gcrích faoi seo. Cáiliú uathoibríoch is ea cáiliú don Scéim Deontais Tithíochta. Laistigh de thrí mhí ó thosach na forbartha, déanfaidh an forbróir comhaontú dlíthiúil leis an údarás pleanála faoi fhorálacha alt 47 den Acht Pleanála agus Forbartha, 2000, arna leasú, ar mhaithe le héifeacht a thabhairt do na teorannuithe thuas. Ní áiteofar aon teach go dtí go ndéanfar comhaontú leis an údarás pleanála de bhun alt 47 den Acht Pleanála agus Forbartha, 2000, arna leasú.

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 and 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 finalisation of the agreement hereby 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

An chúis: A chinntiú go ndéantar teorannú cuí ar fhorbairt sa limistéar ina bhfuil an láithreán suite.

Planning and Development Act, 2000, as amended.

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

5. Beidh sonraí faoi ábhair, dathanna agus uigeachtaí na mbailchríoch seachtrach uile ar na teaghaisí agus na foirgnimh a bheartaítear faoi mar a cuireadh isteach iad leis an iarratas, mura gcomhaontaítear a mhalairt i scríbhinn leis an údarás pleanála sula dtosaítear ar an bhforbairt. Mura ndéantar comhaontú, tarchuirfear an t-ábhar / na hábhair atá faoi dhíos póid chuig an mBord Pleanála dá chinneadh.

5. Details of the materials, colours and textures of all the external finishes to the proposed dwellings and buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

An chúis: Ar mhaithe le taitneamhacht amhairc.

6. Cuirfear sonraí faoi chomharthaíocht do na saoráidí cúraim leanaí faoi bhráid an údaráis phleanála agus aontófar i scríbhinn leo sula n-áiteofar an foirgneamh.

An chúis: Ar mhaithe le taitneamhachtaí an cheantair agus taitneamhacht amhairc.

7. Ní dhéanfar aon fhorbairt bhreise os cionn leibhéal uchtbhalla an dín, lena n-áirítear imfháluithe mótaí ardaitheora, trealamh láimhseála aeir, umair stórála, duchtanna nó gléasra seachtracha eile, aeróga teileachumarsáide, aeróga nó trealamh, mura n-údaráítear le deonú eile cead pleanála.

An chúis: Taitneamhachtaí cónaithe réadmhaoine sa chomharsanacht agus taitneamhachtaí amhairc an cheantair a chosaint.

6. Details of signage for the childcare facilities shall be submitted to and agreed in writing with, the planning authority prior to the occupation of the building.

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

7. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

8. Déanfar tograí le haghaidh ainm eastáit agus ainm sráide, scéim uimhrithe tí agus comharthaíocht ghaolmhar a chur faoi bhráid an údaráis phleanála, agus a aontú i scríbhinn leo, sula dtosófar ar an bhforbairt. Ina dhiaidh sin, soláthrófar gach comhartha eastáit agus sráide, agus uimhreacha tithe, de réir na scéime comhaontaithe. Beidh an t-ainm/na hainmneacha a bheartaítear bunaithe ar ghnéithe áitiúla stairiúla nó topagrafacha, nó ar roghanna malartacha eile atá inghlactha don údarás pleanála. Ní chuirfear aon fhógraí ná comharthaíocht margaíochta a bhaineann le hainm (neacha) na forbartha suas go dtí go bhfaighidh an forbróir comhaontú i scríbhinn ón údarás pleanála maidir leis an ainm/na hainmneacha atá beartaithe.

An chúis: Ar mhaithe le hinléiteacht uirbeach agus a chinntiú go n-úsáidtear logainmneacha atá oiriúnach go háitiúil do cheantair chónaithe nua.

8. Proposals for an estate and 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 or 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).

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

9. Soláthrófar soilsiú poiblí de réir scéime, lena n-áireofar soilsiú feadh bealaí do choisithe trí spásanna oscailte, a gcuirfear a sonraí faoi bhráid an údaráis phleanála agus a chomhaontófar i scríbhinn leis sula dtosófar ar fhorbairt agus suiteáil soilsithe . Beidh soilsiú den sórt sin íogair do speicis ialtóg agus do bharchú sa cheantar agus tabharfaidh sí aird ar mholtaí soilsithe EUROBATS agus Sky Dark.

An chúis: Ar mhaithe le taitneamhacht agus sábháilteacht an phobail.

10. Sula dtosófar ar an bhforbairt, déanfaidh an forbróir comhaontú/uithe nasc uisce agus fuíolluisce le hUisce Éireann.

An chúis: Ar mhaithe le sláinte an phobail.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and installation of lighting. Such lighting shall be sensitive to bat and otter species in the area and shall have regard to EUROBATS and Dark Sky lighting recommendations.

Reason: In the interests of amenity and public safety.

10. Prior to commencement of development, the developer shall enter into water and or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

11. Beidh gach cábla seirbhíse a bhaineann leis an bhforbairt atá beartaithe amhail cáblaí teilifíse, leictreacha, teileachumarsáide agus teilifíse pobail suite faoin talamh. Cuirfidh an forbróir duchtáil ar fáil chun soláthar bonneagair leathanbhanda a éascú laistigh den fhorbairt atá beartaithe.

An chúis: Ar mhaithe le taitneamhacht amhairc agus cónaithe.

12. Sula n-áiteofar an fhorbairt, ullmhófar Plean Bainistíochta Páirceála don fhorbairt agus cuirfear faoi bhráid an údaráis phleanála é agus aontófar i scríbhinn leis. Forálfar sa phlean seo do na spásanna ainmnithe páirceála cónaithe a choinneáil go buan agus léireofar ann conas a shannfar agus a bhainisteofar na spásanna seo agus spásanna eile san fhorbairt.

An chúis: A chinntiú go bhfuil saoráidí páirceála leordhóthanacha ar fáil go buan chun freastal ar na haonaid chónaithe atá beartaithe.

11. 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 developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

12. Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the planning authority. This plan shall provide for the permanent retention of the designated residential parking spaces and shall indicate how these and other spaces within the development shall be assigned and managed.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units.

13. Aontófar i scríbhinn leis an údarás pleanála líon na spásanna páirceála rothair ar an láithreán. Cuirfear sonraí maidir le leagan amach, socrú stórála, teorannú marcála agus forálacha slándála do spásanna rothair isteach le haghaidh comhaontú i scríbhinn ón údarás pleanála sula dtosófar ar an bhforbairt.

An chúis: A chinntiú go bhfuil soláthar leordhóthanach páirceála rothar ar fáil chun freastal ar an bhforbairt atá beartaithe, ar mhaithe le hiompar inbhuanaithe.

13. The number of bicycle parking spaces within the site, shall be agreed in writing with the planning authority. Details of the layout, storage arrangement, marking demarcation, and security provisions for bicycle spaces shall be submitted for the written agreement of the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

14. Beidh an gréasán inmheánach bóithre a fhreastalaíonn ar an bhforbairt atá beartaithe, lena n-áirítear bána le haghaidh casadh, acomhail, limistéir pháirceála, cosáin agus colbhaí de réir chaighdeán mhionsonraithe tógála an údaráis phleanála le haghaidh na n-oibreacha agus na gcaighdeán dearaidh sin atá leagtha amach sa Lámhleabhar Dearaidh do Bhóithre Uirbeacha agus Sráideanna. Mura ndéantar comhaontú, tarchuirfear an t-ábhar/na hábhair atá faoi dhíospóid chuig an mBord Pleanála lena chinneadh.

An chúis: Ar mhaithe le taitneamhacht agus le sábháilteacht tráchta agus coisithe.

14. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

15. Sula ndéanfar an fhorbairt a oscailt agus a áitiú, cuirfear Straitéis Bhainistíochta Soghluaisteachta lena n-áirítear straitéis eatramhach nó sealadach a léiríonn aon cheanglais nó athruithe a bhaineann le gluaiseachtaí agus patrúin taistil Covid-19 faoi bhráid an údaráis phleanála agus aontófar i scríbhinn é. Forálfaidh sé seo do dhreasachtaí chun cónaitheoirí, áititheoirí agus baill foirne atá fostaithe san fhorbairt a spreagadh chun iompar poiblí, rothair, siúl agus carr-roinnt a úsáid agus chun méid na páirceála a laghdú agus a rialáil. D'fhéadfadh go n-áireofaí sna sonraí soláthar saoráidí lárathie laistigh de ghné thráchtála na forbartha le haghaidh páirceáil rothar, saoráidí cithfholcadáin agus athraithe éadaí a bhaineann leis na beartais atá leagtha amach sa straitéis. Ba cheart go léireodh an straitéis eatramhach nó sealadach, nuair is infheidhme, riachtanais an Lámhleabhair Dhearaidh do Bhóithre Uirbeacha agus

15. Prior to the opening and occupation of the development, a Mobility Management Strategy including an interim or temporary strategy reflecting any requirements or adjustments relating to Covid-19 movement and travel patterns shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents, occupants and staff employed in the development and to reduce and regulate the extent of parking. Details may include the provision of centralised facilities within the commercial element of the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy. The interim or temporary strategy, where applicable, should reflect the requirements of Design Manual for Urban Roads and Streets Interim Advice Note – Covid Pandemic Response (May, 2020). The mobility strategy

Sráideanna Nóta Comhairle
Eatramhach – Freagairt ar
Phaindéim Covid (Bealtaine,
2020). Ullmhóidh agus cuirfidh
an comhlacht bainistíochta an
straitéis soghluaisteachta i
bhfeidhm i gcás aonaid san
fhorbairt.

An chúis: Ar mhaithe le húsáid
modhanna iompair inbhuanaithe
a spreagadh agus riachtanais
coisithe agus rothaithe a léiriú le
linn phaindéim Covid-19.

shall be prepared and
implemented by the management
company for all units within the
development.

Reason: In the interest of
encouraging the use of
sustainable modes of transport
and reflecting the needs of
pedestrians and cyclists during
Covid-19 pandemic.

16. Ba cheart stáisiúin nó pointí luchtaithe feithiclí leictreacha feidhmiúla a sholáthar do 10% ar a laghad de na spásanna páirceála uile do charranna, agus soláthrófar duchtáil do gach spás páirceála atá fágtha, ag éascú suiteáil pointí luchtaithe nó stáisiún feithiclí leictreacha níos déanaí . I gcás nár cuireadh tograí maidir le suiteáil feithiclí leictreacha agus stáisiún nó pointí luchtaithe isteach leis an iarratas, de réir na gceanglas thuasluaite, cuirfear na tograí sin isteach agus comhaontófar i scríbhinn iad leis an údarás pleanála sula n-áiteofar an fhorbairt.

An chúis: Soláthar agus nó soláthar maidir leis an todhchaí a dhéanamh don fhorbairt, lena n-éascófar úsáid feithiclí leictreacha.

16. A minimum of 10% of all car parking spaces should be provided with functioning electric vehicle charging stations or points, and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points or stations at a later date. Where proposals relating to the installation of electric vehicle ducting and charging stations or points have not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the planning authority prior to the occupation of the development.

Reason: To provide for and or future proof the development such as would facilitate the use of electric vehicles.

17. Comhlíonfaidh socruithe draenála lena n-áirítear tanú agus diúscairt uisce dromchla ceanglais an údaráis phleanála maidir le hoibreacha agus seirbhísí den sórt sin.

Sula gcuirfear tús leis an bhforbairt cuirfidh an forbróir faoi bhráid an údaráis phleanála le haghaidh Céim 2 - Iniúchadh Mionsonraithe Uisce Stoirme Chéim an Dearaidh - agus aontóidh sé é i scríbhinn. Ar chríochnú na forbartha, déanfar Iniúchadh Críochnaithe Uisce Stoirme Céim 3 le taispeáint gur suiteáladh bearta an Chórais Draenála Uirbí Inbhuanaithe, agus go bhfuil siad ag obair de réir an dearaidh agus nach ndearnadh aon mhícheangal ná damáiste don bhonneagar draenála uisce stoirme le linn na tógála a chur ar aghaidh chuig an údarás phleanála lena chomhaontú i scríbhinn.

An chúis: Ar mhaithe le sláinte an phobail agus bainistíocht uisce dromchla.

17. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Prior to commencement of development the developer shall submit to, and agree in writing with, the planning authority for a Stage 2 - Detailed Design Stage Storm Water Audit.

Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interests of public health and surface water management.

18. Déanfar an fhorbairt ar bhonn céimnithe, de réir scéim chéimnithe a chuirfear faoi bhráid an údaráis phleanála le comhaontú i scríbhinn sula dtosófar ar aon fhorbairt. Beidh an méid seo a leanas san áireamh sa scéim seo go háirithe:

(a) Críochnófar an nasc do choisithe ar bhóthar an L1321, agus an draenáil, an soilsiú, an chomharthaíocht agus na hoibreacha gaolmhara go léir, i gCéim 1 sula gcuirfear ar fáil é chun aon aonad cónaithe a áitiú agus críochnófar é de réir chaighdeán mionsonraithe tógála an údaráis phleanála le haghaidh oibreacha den sórt sin.

(b) Críochnófar an pháirc líneach phoiblí, a shainaithnítear mar 'Céim Thírdhreacha 1', 'Céim Thírdhreacha 2' agus 'Céim Thírdhreacha 3' ar Líníocht chéimniú na forbartha Uimhir 924-MDO-XX-XX-DR-01202 de réir

18. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to the planning authority for written agreement prior to commencement of any development. In particular, this scheme shall include the following:

(a) The pedestrian connection on the L1321 road, with its associated drainage, lighting, signage, and all associated works, shall be completed in Phase 1 prior to the making available for occupation of any residential units and shall be completed in accordance with the detailed construction standards of the planning authority for such works.

(b) The public linear park, identified as 'Landscape Phase 1', 'Landscape Phase 2' and 'Landscape Phase 3' on the development phasing Drawing Number 924-MDO-XX-XX-DR-01202 shall be completed in accordance

an Phlean Thírdhreacha a cuireadh isteach mar chuid de Chéim 1.

An chúis: A chinntiú go soláthraítear seirbhísí go tráthúil, agus go soláthraítear nasc do choisithe go lár Bharna, chun leasa áititheoirí na n-áitreabh beartaithe.

19. Déanfar na limistéir de spás oscailte poiblí a thaispeántar ar na pleananna a taisceadh a chur in áirithe don úsáid sin agus déanfar iad a chothromú, a chomhrianú, a ithriú, a shíoladh agus a thírdhreachú de réir na scéime tírdhreacha a chuirfear faoi bhráid an Bhoird Phleanála leis an iarratas seo, cé is moite de na heilimintí athbhreithnithe (a) agus (b) faoi seo. Críochnófar an obair seo sula gcuirfear aon cheann de na teaghaisí ar fáil lena áitiú agus déanfaidh an forbróir í a chothabháil mar spás oscailte poiblí go dtí go nglacfaidh an t-údarás áitiúil nó an chuideachta bainistíochta i gcúram é.

with the submitted Landscape Plan as part of Phase 1.

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.

19. The areas of public open space shown on the lodged plans shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the landscape scheme submitted to An Bord Pleanála with this application, with the exception of the revised elements (a) and (b) hereunder. This work shall be completed before any of the dwellings are made available for occupation and shall be maintained as public open space by the developer until taken in charge by the local authority or management company.

Ionchorprófar na heilimintí seo a leanas i bplean tírdhreacha athbhreithnithe agus cuirfear faoi bhráid an údaráis phleanála iad agus comhaontófar i scríbhinn iad sula dtosófar ar an bhforbairt.

- (a) Ní cuirfear an tor Cotoneaster Franchetii san áireamh.
- (b) Tabharfar aghaidh laistigh de Phlean Tírdhreacha ar Rialacháin na gComhphobal Eorpach (Úsáid Inbhuanaithe Lotnaidicídí) 2012 agus Plean Gníomhaíochta Náisiúnta na hÉireann um Úsáid Inbhuanaithe Lotnaidicídí - go háirithe cuid 4.c 'Laghdú riosca i Limistéir Íogaire'.

An chúis: Ar mhaithe le caomhnú an dúlra, taitneamhacht chónaithe, agus forbairt shásúil na limistéar spáis oscailte poiblí agus a n-úsáid leanúnach chun na críche seo a chinntiú.

The following elements shall be incorporated into a revised landscape plan and shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (a) The shrub Cotoneaster Franchetii shall be omitted.
- (b) The European Communities (Sustainable Use of Pesticides) Regulations 2012 and the Irish National Action Plan for the Sustainable Use of Pesticides – notably part 4.c 'Reduction of risk in Sensitive Areas' shall be addressed within the Landscape Plan.

Reason: In the interest of nature conservation, residential amenity, and to ensure the satisfactory development of the public open space areas and their continued use for this purpose.

20. (a) Sula gcuirfeadh tús leis an bhforbairt, déanfar gach crann, grúpa crann, fálú agus toir atá le coinneáil a imfhálú laistigh de chlaí láidre nach lú ná 1.5 méadar ar airde. Dúnfaidh an fálú cosanta seo limistéar atá clúdaithe ag leathadh choróin na mbrainsí, nó ga dhá mhéadar ar a laghad ó stoc an chrainn nó ó lár an toir, agus go dtí fad dhá mhéadar ar gach taobh den fhál ar a fhad iomlán, agus cothabhálfar é go dtí go mbeidh an fhorbairt críochnaithe.

(b) Ní thabharfar aon trealamh tógála, innealra nó ábhair isteach sa láithreán chun críche na forbartha go dtí go mbeidh na crainn uile atá le coinneáil cosanta ag an bhfálú seo. Ní dhéanfar aon obair laistigh den limistéar atá faoi iamh ag an bhfálú agus, go háirithe, ní dhéanfar aon fheithiclí a pháirceáil, botháin láithreáin, compún stórála

20. (a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.

(b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing

nó carnáin bharrithreach a shuí, ola, ceimiceáin ná substaintí eile a stóráil, agus ní lasfar tinte anuas ar leathadh fréimhe aon chrainn atá le coinneáil.

- (c) Déanfar tochairtí mar ullmhúchán do bhunsraitheanna agus draenáil, agus déanfar na hoibreacha go léir os cionn leibhéal na talún i ngarchomharsanacht do chrainn/chrann atá le coinneáil, go háirithe ag an teorainn thiar, faoi mhaoirseacht chranneolaí speisialaithe, ar shlí a chinnteoidh go gcosnófar na príomhfhréamhacha go léir agus go gcoinneofar gach brainse.

of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

- (c) Excavations in preparation for foundations and drainage, and all works above ground level in the immediate vicinity of tree(s) to be retained, particularly at the western boundary, shall be carried out under the supervision of a specialist arborist, in a manner that will ensure that all major roots are protected and all branches are retained.

(d) Ní shuífear aon trinse, aon chlaífort ná aon rith píobán laistigh de thrí mhéadar ó aon chrann agus fálú atá le coinneáil ar an láithreán.

An chúis: Crainn agus plandáil a chosaint le linn na tréimhse tógála ar mhaithe le taitneamhacht amhairc.

21. Cuirfear sceideal cothabhála tírdhreacha faoi bhráid an údaráis phleanála agus comhaontófar i scríbhinn é leo sula n-áiteofar an fhorbairt. Clúdóidh an sceideal seo tréimhse trí bliana ar a laghad agus beidh sonraí ann faoi na socruithe maidir lena chur chun feidhme.

An chúis: Foráil a dhéanamh do chothabháil shásúil ar an bhforbairt seo feasta ar mhaithe le taitneamhacht amhairc.

(d) No trench, embankment or pipe run shall be located within three metres of any trees and hedging which are to be retained on the site.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

21. A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

22. Ceapfaidh an forbróir duine a bhfuil an saineolas seandálaíochta iomchuí aige lena chinntiú go gcuirtear na bearta maolaithe a shaináithnítear sa Tuarascáil ar Mheasúnacht Tionchair Timpeallachta i bhfeidhm go hiomlán.

An chúis: Ar mhaithe le soiléire agus chun an timpeallacht seandálaíochta a chosaint le linn chéimeanna tógála agus oibríochta na forbartha beartaithe.

23. (a) Déanfar plean ina bhfuil sonraí maidir le dramhaíl agus, go háirithe, ábhair in-athchúrsáilte laistigh den fhorbairt a bhainistiú, lena n-áirítear saoráidí a sholáthar chun an dramhaíl a stóráil, a leithscaradh agus a bhailiú agus, go háirithe, ábhair in-athchúrsáilte agus le haghaidh oibriú leanúnach na saoráidí sin maidir le gach aonad árasáin a chur ar aghaidh agus a aontú i

22. The developer shall appoint a person with appropriate archaeological expertise to ensure that the mitigation measures identified in the Environmental Impact Assessment Report are implemented in full.

Reason: In the interest of clarity and to protect the archaeological environment during the construction and operational phases of the proposed development.

23. (a) 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 for each apartment unit shall be submitted to, and agreed in writing with, the planning authority not

scríbhinn leis an údarás
pleanála, tráth nach
déanaí ná 6 mhí ó dháta
thús na forbartha. Ina
dhiaidh sin, déanfar an
dramhaíl a bhainistiú de
réir an phlean
comhaontaithe.

- (b) Forálfar sa phlean seo
d'araidí bruscair
comhchoiteanna ceilte , a
mbeidh a láithreacha agus
a ndearaí san áireamh sna
sonraí a chuirfear isteach.

An chúis: Ar mhaithe le
taitneamhacht chónaithe, agus
chun soláthar stóráil
dhóthanach bruscair a chinntiú.

later than 6 months from the
date of commencement of
the development.

Thereafter, the waste shall
be managed in accordance
with the agreed plan.

- (b) This plan shall provide for
screened communal bin
stores, the locations and
designs of which shall be
included in the details to be
submitted.

Reason: In the interest of
residential amenity, and to
ensure the provision of adequate
refuse storage.

24. Is í cuideachta bhainistíochta le comhdhéanamh dlíthiúil, nó an t-údarás áitiúil i gcás ina dtógtar an fhorbairt i gcúram, a bheidh freagrach as bainistíocht agus cothabháil na forbartha beartaithe tar éis í a chríochnú. Cuirfear tograí mionsonraithe ina leith seo faoi bhráid an údaráis phleanála agus comhaontófar iad i scríbhinn leo sula n-áiteofar an fhorbairt.

An chúis: A chinntiú go gcuirtear an fhorbairt seo i gcrích agus a chothabháil go sásúil.

25. Déanfar dramhaíl tógála agus scartála a bhainistiú de réir plean bainistíochta dramhaíola tógála agus scartála, a chuirfear faoi bhráid an údaráis phleanála agus a chomhaontófar i scríbhinn leis sula dtosófar ar an bhforbairt. Ullmhófar an plean seo de réir na dTreoirínte Dea-Chleachtais maidir le hullmhú Pleananna Bainistíochta Dramhaíola do Thionscadail

24. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development.

Reason: To ensure the satisfactory completion and maintenance of this development.

25. 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

Tógála agus Scartála arna bhfoilsíú ag an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil i mí Iúil 2006. Cuimseoidh an plean sonraí faoin dramhaíl a ghinfí le linn chéimeanna glanta an láithreáin agus na tógála, agus sonraí faoi na modhanna agus na láithreacha atá le húsáid chun an t-ábhar seo a chosc, a íoslaghdú, a aisghabháil agus a dhiúscairt de réir sholáthar an Phlean Bainistíochta Dramhaíola don Réigiún ina bhfuil an láithreán suite.

An chúis: Ar mhaithe le bainistíocht dramhaíola inbhuanaithe.

Management Plans for Construction and Demolition Projects published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

26. Déanfar tógáil na forbartha a bhainistiú de réir Plean Bainistíochta agus Comhshaoil Foirgníochta, a chomhlíonann de ghnáth na gealltanais atá leagtha amach sa Tuarascáil ar Mheasúnú Tionchair Timpeallachta, a chuirfear faoi bhráid an údaráis phleanála agus a chomhaontófar i scríbhinn leis sula gcuirfear tús leis an bhforbairt. Áireofar sa Plean Bainistíochta Foirgníochta agus Comhshaoil tograí sonracha maidir le conas a chuirfear an Plean Bainistíochta Foirgníochta agus Comhshaoil i bhfeidhm go héifeachtach, agus sula gcuirfear tús leis an bhforbairt. Soláthróidh an plean seo sonraí faoin gcleachtas tógála beartaithe don fhorbairt, lena n-áirítear inter alia:

- (a) Suíomh an láithreáin agus na gcompún/na n-ábhar lena n-áirítear an limistéar/na limistéir a sainaitníodh chun bruscar tógála a stóráil;

26. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, generally in accordance with the commitments set out in the Environmental Impact Assessment Report, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The Construction and Environmental Management Plan shall include specific proposals as to how the Construction and Environmental Management Plan will be implemented effectively, and prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including inter alia:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

- | | |
|---|---|
| (b) Suíomh na limistéar le haghaidh oifigí láithreán tógála agus saoráidí foirne; | (b) Location of areas for construction site offices and staff facilities; |
| (c) Sonraí faoi fhálú agus cláir sconsaí slándála; | (c) Details of site security fencing and hoardings; |
| (d) Sonraí faoi bhearta cosanta crann; | (d) Details of tree protection measures; |
| (e) Sonraí faoi shaoráidí páirceála ar an láthair d'oibrithe láithreáin le linn na tógála; | (e) Details of on-site car parking facilities for site workers during the course of construction; |
| (f) Sonraí maidir le huainiú agus ródú an tráchta tógála chuig an láithreán tógála agus uaidh, agus an treo-chomharthaíocht ghaolmhar, lena n-áireofar tograí chun seachadadh ualaí neamhghnácha ar an láithreán a éascú; | (f) Details of the timing and routing of construction traffic to and from the construction site, and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; |
| (g) Beartha ionas nach mbeidh scuaine tráchta tógála riachtanach ar an ngréasán bóithre tadhlach; | (g) Measures to obviate queuing of construction traffic on the adjoining road network; |
| (h) Beartha chun cosc a chur ar dhoirteadh nó taisceadh cré, brablach nó smionagar eile ar an ngréasán bóithre poiblí; | (h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network; |

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| (i) Sonraí faoi bhearta maolaithe iomchuí maidir le torann, deannach agus tonnchrith, agus monatóireacht ar leibhéil den sórt sin; | (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels; |
| (j) Gach breosla agus ola a bhaineann le tógáil a choinneáil i mbundáil a tógadh go speisialta le cinntiú go gcuimsítear doirteadh breosla go hiomlán. Beidh díon ar na bunáin sin chun uisce báistí a choimeád amach; | (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater; |
| (k) Dramhaíl tógála agus scartála a dhiúscairt lasmuigh den láthair agus sonraí faoin gcaoi a mbeartaítear ithir thochailte a bhainistiú; | (k) Off-site disposal of construction and demolition waste and details of how it is proposed to manage excavated soil; |
| (l) Modhanna chun a chinntiú go ndéantar rith chun srutha uisce dromchla a rialú sa chaoi is nach dtéann aon síolta ná truailleáin eile isteach i séaraigh nó draenacha uisce dromchla áitiúla. | (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. |

(m) Coinneoidh an t-údarás pleanála taifead de sheiceálacha laethúla go bhfuil na hoibreacha á ndéanamh de réir an Phlean Bainistíochta Tógála.

An chúis: Ar mhaithe le taitneamhachtaí, sláinte phoiblí agus sábháilteacht.

27. Ní dhéanfar forbairt láithreáin agus oibreacha tógála ach idir 0700 agus 1900 Luan go Satharn go huile, agus ní ar an Domhnach ná ar laethanta saoire poiblí ar chor ar bith. Ní cheadófar imeacht ó na hamanna seo ach i gcásanna eisceachtúla ina bhfuarthas cead i scríbhinn roimh ré ón údarás pleanála.

An chúis: D'fhonn taitneamhachtaí cónaithe maoine sa chomharsanacht a chosaint.

(m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of amenities, public health and safety.

27. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.

28. Sula dtosófar an fhorbairt, déanfaidh an t-iarratasóir nó duine eile a bhfuil leas aige sa talamh lena mbaineann an t-iarratas comhaontú i scríbhinn leis an údarás pleanála i ndáil le tithíocht a sholáthar de réir cheanglais alt 94 (4) agus alt 96 (2) agus (3) (Cuid V) den Acht Pleanála agus Forbartha 2000, arna leasú, mura mbeidh iarratas déanta ar dheimhniú díolúine agus é deonaithe faoi alt 97 den Acht, arna leasú. I gcás nach dtiocfar ar chomhaontú den sórt sin laistigh de ocht seachtaine ó dháta an ordaithe seo, féadfaidh an t-údarás pleanála nó aon pháirtí ionchasach eile sa chomhaontú an t-ábhar atá faoi dhíospóid (seachas ábhar lena mbaineann alt 96 (7)) a tharchur don Bhord Pleanála lena chinneadh.

An chúis: Ceanglais Chuid V den Acht um Pleanáil agus Forbairt 2000, arna leasú, agus an straitéis tithíochta i bplean forbartha an cheantair a chomhlíonadh.

28. 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.

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.

29. Sula dtosófar ar an bhforbairt, taiscfidh an forbróir éarlais airgid, banna cuideachta árachais, nó urrús eile leis an údarás pleanála chun soláthar agus comhlánú agus cothabháil shásúil a dhéanamh go dtí go ndéanfaidh an t-údarás áitiúil bóithre, cosáin, príomhlíonra uisce, draenacha, spás oscailte poiblí agus seirbhísí eile a theastaíonn i ndáil leis an bhforbairt a thógáil i gcúram, in éineacht le comhaontú a thugann cumhacht don údarás áitiúil an tslándáil sin nó cuid di a chur i bhfeidhm chun aon chuid den fhorbairt a chríochnú nó a chothabháil go sásúil. Beidh foirm agus méid na hurrúis de réir mar a chomhaontóidh an t-údarás pleanála agus an forbróir nó, mura gcomhaontófar é, tarchuirfear chuig an mBord Pleanála iad lena chinneadh.

An chúis: A chinntiú go ndéantar an fhorbairt a chríochnú agus a chothabháil go sásúil go dtí go dtógfar i gcúram í.

29. 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.

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

30. Íocfaidh an forbróir leis an údarás pleanála ranníocaíocht airgeadais i leith bonneagar poiblí agus saoráidí a rachaidh chun leasa forbartha i réimse an údaráis phleanála a sholáthraíonn nó a bheartaítear a sholáthar ag an údarás nó thar a cheann de réir théarmaí an Scéim Ranníocaíochta Forbartha a rinneadh faoi alt 48 den Acht Pleanála agus Forbartha 2000, arna leasú. Íocfar an ranníocaíocht roimh thosach na forbartha nó i cibé íocaíochtaí céimnithe a éascóidh an t-údarás pleanála agus beidh siad faoi réir aon fhorálacha innéacsaithe infheidhmithe den Scéim tráth na híocaíochta. Aontóidh an t-údarás pleanála agus an forbróir mionsonraí ar chur i bhfeidhm théarmaí na Scéime nó, mura ndéantar an comhaontú sin, tarchuirfear an t-ábhar chuig an mBord Pleanála chun cur i bhfeidhm ceart théarmaí na Scéime a chinneadh.

An chúis: Is ceanglas den Acht Pleanála agus Forbartha 2000, arna leasú, go gcuirfí coinníoll a

30. 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

éilíonn ranníocaíocht de réir na
Scéime Ranníocaíochta
Forbartha arna dhéanamh faoi
alt 48 den Acht i bhfeidhm ar an
gcead.

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.

Stephen Bohan
Ball den Bhord Pleanála a
bhfuil an t-údarás cuí aige
séala an Bhord a
fhíordheimhniú.

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

Dátaithe ar an

lá seo de

2021

Dated this the

day of

2021