

An  
Bord  
Pleanála

## Ordú ón mBord/Board Order ABP-320712-24

**Na hAchtanna um Pleanáil agus Forbairt, 2000 go 2022**  
**Planning and Development Acts 2000 to 2022**

**Údarás Pleanála: Comhairle Contae na Gaillimhe**  
**Planning Authority: Galway County Council**

**Uimhir Thagartha ar an gClár Pleanála: 24/60729**  
**Planning Register Reference Number: 24/60729**

**Achomharc** ó Solemia Limited faoi chúram Genesis Planning Consultants, Foirgneamh Dean Swift, Páirc Gnó Ard Mhacha, Bóthar Bhábhún Hamaltún, Ard Mhacha, in aghaidh an chinnidh a rinne Comhairle Contae na Gaillimhe an 8<sup>ú</sup> lá de mhí Lúnasa 2024 cead a dhiúltú.

**Appeal** by Solemia Limited care of Genesis Planning Consultants of Dean Swift Building, Armagh Business Park, Hamiltonsbawn Road, Armagh against the decision made on the 8<sup>th</sup> day of August, 2024 by Galway County Council to refuse permission.

**Forbairt Bheartaithe:** 60 ceann san iomlán d'aonaid chónaithe a sholáthar, mar aon le creis. Is iad seo a leanas na sonraí a bhaineann leis an bhforbairt: (a) 60 ceann san iomlán de theaghaisí cónaithe a sholáthar, arb éard a bheidh iontu seacht gcinn d'aonaid dhá sheomra leapa, 33 cinn d'aonaid trí sheomra leapa, agus 20 ceann

d'aonaid ceithre sheomra leapa; (b) creis aon stóir a sholáthar, mar aon le spásanna gaolmhara páirceála agus stóráil ghaolmhar rothar agus araidí; (c) bóthar inmheánach eastáit lena bhfreastalaítear ar theaghaisí uimhir 1-16 laistigh d'Eastát Bhun na Coille a athchumrú mar a deonaíodh faoi uimhir thagartha 06/5813 ar an gclár pleanála, mar aon le spás oscailte láithreach a athchumrú ag an gcuid sin den láithreán; (d) spásanna gaolmhara páirceála carranna a sholáthar ar leibhéal an dromchla trí mheascán de spásanna laistigh den chúirtealáiste agus de spásanna comhroinnte do theaghaisí agus trí spásanna páirceála ar an tsráid don chreis; (e) pointí athluchtaithe feithiclí leictreacha a sholáthar, mar aon le ductú gaolmhar bonneagair ar an láithreán chun pointí athluchtaithe a sholáthar do chónaitheoirí ar fud an láithreáin; (f) bóthar nua rochtana a chruthú mar shíneadh ó Eastát láithreach Bhun na Coille, mar aon le hoibreacha gaolmhara lena n-áireofar nasc leis an ngréasán láithreach bóithre agus cosán; (g) ballaí gaolmhara coinneála a sholáthar feadh na teorann thoir agus na teorann thuaidh, lena n-áireofar fálú gaolmhar; (h) bóithre inmheánacha rochtana agus cosáin inmheánacha a sholáthar, mar aon le hoibreacha gaolmhara; (i) limistéir chónaithe spáis oscailte phoiblí a sholáthar, lena n-áireofar áiteanna foirmiúla súgartha, mar aon le hoibreacha tírdhreacha chrua agus bhoig a mbeidh soilsiú poiblí agus cóireálacha plandaithe agus teorann i gceist leo, lena n-áireofar ballaí teorann, ráillí agus fálú; (j) oibreacha inmheánacha láithreáin agus córais inmheánacha mhaolaithe, lena n-áireofar ceannbhalla agus idircheapóir hidreacarbóin agus sioilta a sholáthar roimh scaoileadh; agus (k) na hoibreacha coimhdeacha forbartha/tógála láithreáin uile atá ceaptha chun líonraí uisce, uisce bhréin agus seirbhíse a nascadh le líonraí láithreacha uisce, uisce bhréin agus BSL, ag na tailte uile in aice Eastát Bhun na Coille, Baile Fearainn Choill Bhruachláin, Maigh Cuilinn, Contae na Gaillimhe.

**Proposed Development:** Provision of a total of 60 number residential units along with provision of a crèche. Particulars of the development comprise as follows: (a) the provision of a total of 60 number residential dwellings which will consist of seven number two-bed units, 33 number three-bed units and 20 number four-bed units; (b) provision of a single storey creche with associated parking, bicycle and bin storage; (c) reconfiguration of internal estate road serving dwelling numbers 1-16 within Bun Na Coille Estate as granted under planning register reference number 06/5813 along

with reconfiguration of existing open space at this part of the site; (d) provision of associated car parking at surface level via a combination of in-curtilage and shared parking for dwellings and via on-street parking for the creche; (e) provision of electric vehicle charge points with associated site infrastructure ducting to provide charge points for residents throughout the site; (f) creation of a new access road as an extension from the existing Bun na Coille Estate with associated works to include for a connection to the existing road and footpath network; (g) the provision of associated retaining walls along the eastern and northern boundaries to include for associated fencing; (h) provision of internal access roads and footpaths and associated works; (i) provision of residential public open space areas to include formal play areas along with all hard and soft landscape works with public lighting, planting and boundary treatments to include boundary walls, railings and fencing; (j) internal site works and attenuation systems which will include for provision of a headwall and hydrocarbon and silt interceptor prior to discharge; and (k) all ancillary site development/construction works to facilitate foul, water and service networks for connection to the existing foul, water and ESB networks, all at lands adjacent to Bun na Coille Estate, Kylebroghland Townland, Moycullen, County Galway.

## **Cinneadh**

**Cead a DHEONÚ don fhorbairt bheartaithe thuas bunaithe ar na cúiseanna agus na cúinsí faoi bhun agus faoi réir na gcoinníollacha atá leagtha amach thíos.**

## **Decision**

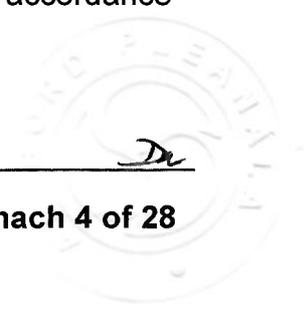
**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Cúiseanna agus Cúinsí

Ag féachaint do láthair an láithreáin laistigh de limistéar foirgnithe láithreach Mhaigh Cuilinn ar thailte criosaithe agus seirbhísithe, do na forálacha de Phlean Forbartha Contae na Gaillimhe 2022-2028, do na Treoirínte maidir le Forbairt Cónaithe agus Dlúthlonnaíochtaí Inbhuanaithe d'Údaráis Phleanála, don phatrún forbartha sa limistéar, do chineál agus scála na forbartha beartaithe, don chumas atá ag an láithreán uisce dromchla agus uisce stoirme a bhainistiú (mar atá léirithe ag an iarratasóir), agus don soláthar ceadanna slí lena ndéantar socrú do thréscailteacht amach anseo, meastar, maidir leis an bhforbairt bheartaithe, faoi réir na coinníollacha atá leagtha amach thíos a chomhlíonadh, go mbeadh sí, mar shíneadh le hEastát ceadaithe Bhun na Coille ag a bhfuil pointe rochtana aonair, i gcomhréir leis na treoirínte dlúis, mar atá leagtha amach sna Treoirínte, nach gcruthódh sí guais tráchta, nach ndéanfadh sí díobháil thromchúiseach do thaitneamhachtaí an limistéir agus, dá bhrí sin, go mbeadh sí ag teacht le pleanáil chuí agus forbairt inchothaithe an limistéir.

## Reasons and Considerations

Having regard to the location of the site within the existing built up area of Mhaigh Cuilinn on zoned and serviced lands, the provisions of the Galway County Development Plan 2022-2028, and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, the pattern of development in the area, the nature and scale of the proposed development the site's capacity to manage surface and stormwater (as demonstrated by the applicant), and the provision of wayleaves that provide for future permeability, it is considered that, subject to compliance with the conditions set out below, the proposed development, in effect an extension of the permitted Bun na Coille Estate which has a single access point, would be in accordance with the density guidelines, as set out in the Guidelines, would not result in the creation of a traffic hazard, would not seriously injure the amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



### **Measúnacht Chuí: Céim 1:**

Chomhaontaigh an Bord leis an measúnacht scagtha agus leis an gconclúid a rinneadh sa Tuarascáil ón gCigire á rá gurb é Limistéar Caomhantais Speisialta Loch Coirib (Cód Láithreáin: 000297) an t-aon Láithreán Eorpach amháin a bhféadfadh an fhorbairt bheartaithe éifeacht shuntasach a bheith aici air, i bhfianaise na gCuspóirí Caomhantais don láithreán. Fágann sé sin gur gá Measúnacht Chuí Chéim 2 a dhéanamh.

### **Appropriate Assessment: Stage 1:**

The Board agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Lough Corrib Special Area of Conservation (Site Code: 000297) is the only European Site in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the site and that Stage 2 Appropriate Assessment is, therefore, required.

### **Measúnacht Chuí: Céim 2:**

Rinne an Bord breithniú ar Ráiteas Tionchair Natura agus ar gach aighneacht iomchuí eile ar comhad, agus rinne sé Measúnacht Chuí ar impleachtaí na forbartha beartaithe do Limistéar Caomhantais Speisialta Loch Coirib (Cód Láithreáin: 000297), i bhfianaise Chuspóirí Caomhantais an láithreáin. Mheas an Bord gur leor an fhaisnéis a bhí os a chomhair chun measúnacht iomlán a dhéanamh ar na gnéithe uile den fhorbairt bheartaithe i ndáil le Cuspóirí Caomhantais an láithreáin, agus leas á bhaint as an eolas eolaíoch is fearr sa réimse. Agus an mheasúnacht á cur i gcrích aige, rinne an Bord breithniú ar leith ar na nithe seo a leanas:

- (i) na Cuspóirí Caomhantais atá sonrath don Láithreán Eorpach,
- (ii) na tionchair dhíreacha agus indíreacha ar dóigh dóibh teacht as an bhforbairt bheartaithe, aisti féin nó in éineacht le pleananna nó tionscadail eile, agus
- (iii) bearta maolaithe atá ar áireamh sa togra reatha.

Agus an Mheasúnacht Chuí á cur i gcrích aige, ghlac an Bord leis an Measúnacht Chuí a rinneadh sa Tuarascáil ón gCigire maidir leis na héifeachtaí a d'fhéadfadh a bheith ag an bhforbairt bheartaithe ar an Láithreán Eorpach réamhluaite, agus ghlac sé an Mheasúnacht sin.

Sa chonclúid fhoriomlán uaidh, ba dheimhin leis an mBord nach ndéanfadh an fhorbairt bheartaithe dochar do shláine an Láithreáin Eorpaigh, i bhfianaise Chuspóirí Caomhantais an láithreáin, agus nach bhfuil aon amhras eolaíoch réasúnach ann maidir le héifeachtaí den sórt sin a bheith in easnamh.

### **Appropriate Assessment: Stage 2:**

The Board considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the Lough Corrib Special Area of Conservation (Site Code: 000297) in view of the site's Conservation Objectives. The Board considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Board considered, in particular, the following:

- (iv) the site-specific Conservation Objectives for the European Site,
- (v) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (vi) mitigation measures which are included as part of the current proposal.

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 Site.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the European Site in view of the site's Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

## Coinníollacha/Conditions

1. Déanfar an fhorbairt bheartaithe a sheoladh agus a chur i gcrích i gcomhréir leis na pleananna agus na sonraí a taisceadh i dteannta an iarratais, seachas de réir mar is gá ar shlí eile chun na coinníollacha seo a leanas a chomhlíonadh. I gcás go gceanglófar leis na coinníollacha sin go gcomhaontófaí mionsonraí leis an údarás pleanála, comhaontóidh an forbróir le mionsonraí den sórt sin i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt bheartaithe, agus déanfar an fhorbairt agus críochnófar í i gcomhréir leis na sonraí comhaontaithe.

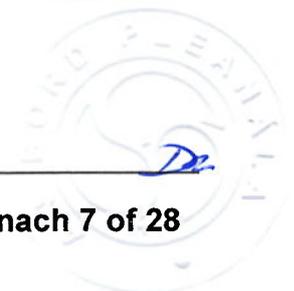
**Cúis:** Ar mhaithe le soiléire.

The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Cuirfear chun feidhme ina n-iomláine na bearta maolaithe uile atá leagtha amach i Rannán 4.4 de Ráiteas Tionchair Natura agus i Rannáin 3.2, 3.11 agus 7.4 den Phlean Imlíneach Bainistíochta Comhshaoil Tógála a fuair an Bord Pleanála an 2<sup>ú</sup> lá de mhí Mheán Fómhair 2024.

**Cúis:** Ar mhaithe le hoidhreacht nádúrtha an limistéir agus ar mhaithe leis an gcomhshaoil a chosaint.



All of the mitigation measures set out in Section 4.4 of the Natura Impact Statement and Section 3.2, 3.11 and Section 7.4 of the Outline Construction Environmental Management Plan received by An Bord Pleanála on the 2<sup>nd</sup> day of September, 2024 shall be implemented in full.

**Reason:** In the interest of the natural heritage of the area and the protection of the environment.

3. Déanfar na ceadanna slí atá beartaithe do naisc fhéideartha coisithe/rothar amach anseo a thógáil ina n-iomláine de réir uimhir líníochta Leagan Amach Láithreáin 11763-2000 a cuireadh isteach i dteannta an iarratais pleanála.

**Cúis:** Ar mhaithe le taitneamhacht agus ar mhaithe le pleanáil chuí agus forbairt inchothaithe an limistéir.

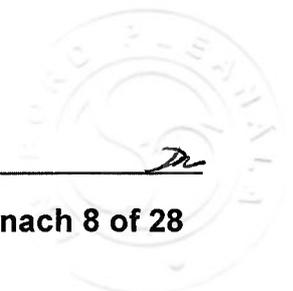
The proposed way leaves for potential future pedestrian/cycle connections shall be constructed in full as per the Site Layout drawing number 11763-2000 submitted with the planning application.

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

4. (a) Le linn chéim oibreacha cumasúcháin/tógála na forbartha beartaithe, cloífidh an conraitheoir ceaptha leis an bPlean Bainistíochta Comhshaoil Tógála agus le Nósanna Imeachta Bainistíochta Tráchtá. Déanfaidh an Bainisteoir ceaptha Comhshaoil Tógála, nó duine eile atá cáilithe go cuí, formhaoirseacht ar chur chun feidhme an Phlean Bainistíochta Comhshaoil Tógála Deiridh.

- (b) Tar éis chríochnú na tógála, soláthróidh an Bainisteoir ceaptha Comhshaoil Tógála, nó duine eile atá cáilithe go cuí, deimhniú á rá gur cuireadh na bearta tógála i gcrích ina n-iomláine. Cuirfear an deimhniú sin ar fáil don údarás pleanála arna iarraidh sin.

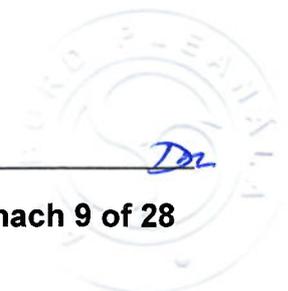
**Cúis:** Ar mhaithe le pleanáil chuí agus forbairt inchothaithe an limistéir a chinntiú.



- (a) During the enabling works/construction stage of the proposed development, the appointed contractor shall adhere to the Construction Environmental Management Plan (CEMP) and Traffic Management Procedures. An appointed Construction Environmental Manager, or other suitability qualified person, shall oversee the implementation of the Final Construction Environmental Management Plan.
- (b) Following completion of construction, certification shall be provided by the appointed Construction Environmental Manager, or other suitably qualified person, confirming that the construction measures have been carried out in full. This certification shall be made available to the planning authority upon request.

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

- 5. (a) Déanfaidh an forbróir gach beart riachtanach chun doirteadh nó sil-leagan cré, spallaí nó smionagair eile a chosc ar bhóithre poiblí tadhlaacha nó ar chosáin thadhlaacha le linn na n-oibreacha forbartha. Cinnteoidh an forbróir go mbeidh gach feithicil a bheidh ag fágáil na forbartha saor ó aon ábhar ar dócha go sil-leagfaidh sé ar an mbóthar agus, i gcás aon sil-leagan den sórt sin, déanfar bearta láithreacha chun an t-ábhar a bhaint den dromchla bóthair. Beidh an forbróir freagrach as an gcostas iomlán a bheidh ag baint le haon oibreacha glantacháin bóthair/cosáin a chur i gcrích. Beidh saoráid níocháin rothaí i mbun feidhme ag slí isteach/amach an láithreáin.



- (b) Déanfar gach feithicil/innealra a bhaineann leis na hoibreacha tógála don fhorbairt bheartaithe a choinneáil laistigh den láithreán, agus déanfar socrú leordhóthanach don chéanna. I gcás go bpáirceálfar feithiclí/innealra a bhaineann leis na hoibreacha tógála ar an mbóthar poiblí nó ar chiumhais féir an bhóthair phoiblí, tabharfar de chumhacht don údarás pleanála scor de na hoibreacha uile ar an láithreán, agus ní atosófar na hoibreacha sin gan réamh-chomhaontú i scríbhinn a fháil ón údarás pleanála.

**Cúis:** Ar mhaithe le pleanáil chuí agus forbairt inchothaithe.

- (a) All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble or other debris on adjoining public roads or footpaths during the course of the development works. The developer shall ensure that all vehicles leaving the development are free from any material that would be likely to deposit on the road and, in the event of any such deposition, immediate steps shall be taken to remove the material from the road surface. The developer shall be responsible for the full cost of carrying out any road/footpath cleaning works. A wheel washing facility shall be operational at the site entrance/exit.
- (b) All vehicles/machinery associated with the construction works for the proposed development shall be contained within the site and adequate provision shall be made for same. In the event that vehicles/machinery associated with the construction works park on the public road or grass verge thereto, the planning authority shall be empowered to cease all works on site and works shall not recommence without the prior written agreement of the planning authority.

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

6. Éascóidh an forbróir caomhnú, taifeadadh agus cosaint ábhar seandálaíochta nó sainghnéithe seandálaíochta atá ann laistigh den láithreán. Maidir leis sin, fostóidh an forbróir seandálaí atá cáilithe go cuí, a dhéanfaidh faireachán ar na himscrúduithe láithreáin uile agus na hoibreacha tochailte uile eile.
- Cúis:** Chun oidhreacht seandálaíochta an láithreáin a chaomhnú agus chun a áirithiú go ndéanfar aon iarsmaí atá ann laistigh den láithreán a chaomhnú agus a chosaint.

The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works.

**Reason:** In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

7. Beidh mionsonraí faoi ábhair, dathanna agus uigeacht na mbailchríoch seachtrach uile ar an bhforbairt bheartaithe mar a cuireadh isteach i dteannta an iarratais pleanála, ach amháin i gcás go gcomhaontófar a mhalairt i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt.
- Cúis:** Ar mhaithe le taitneamhacht amhairc.

Details of the materials, colours and textures of all the external finishes to the proposed development shall be as submitted with the planning application, unless otherwise agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

8. Soláthrófar soilsiú poiblí i gcomhréir le scéim, lena n-áireofar soilsiú feadh bealaí coisithe. Cuirfear mionsonraí faoin scéim sin faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula dtosófar an fhorbairt nó sula dtosófar ar an soilsiú a shuiteáil. Soláthrófar soilsiú den sórt sin sula gcuirfear aon aonad cónaithe ar fáil lena áitiú.

**Cúis:** Ar mhaithe le taitneamhacht agus sábháilteacht an phobail.

Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any residential unit.

**Reason:** In the interest of amenity and public safety.

9. Cuirfear tograí le haghaidh scéim ainmniúcháin sráideanna, foirgneamh agus spásanna poiblí agus le haghaidh comharthaí gaolmhara faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula dtosófar an fhorbairt. Ina dhiaidh sin, soláthrófar gach comhartha sráide agus gach uimhir theaghaise i gcomhréir leis an scéim chomhaontaithe. Ní dhéanfar aon fhógraí ná aon chomharthaí margaíochta a bhaineann le hainm nó ainmneacha na forbartha a chur suas go dtí go mbeidh comhaontú i scríbhinn faighte ag an bhforbróir ón údarás pleanála i leith an ainm bheartaithe nó na n-ainmneacha beartaithe.

**Cúis:** Ar mhaithe le hinléiteacht uirbeach.

Proposals for a street, building and public space naming scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs and dwelling numbers shall be provided in accordance with the agreed scheme. No advertisements/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.

10. Comhlíonfaidh diúscairt uisce dromchla ceanglais an údaráis pleanála le haghaidh oibreacha agus seirbhísí den sórt sin. Sula dtosófar an fhorbairt, cuirfidh an forbróir mionsonraí faoi conas a dhiúscrófar uisce dromchla ón láithreán isteach lena gcomhaontú i scríbhinn ag an údarás pleanála.

**Cúis:** Chun tuille a chosaint agus ar mhaithe le draenáil inchothaithe.

The 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 details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interest of sustainable drainage.

11. Sula dtosófar an fhorbairt, déanfaidh an forbróir comhaontú um nasc uisce agus fuíolluisce le hUisce Éireann.

**Cúis:** Ar mhaithe leis an tsláinte phoiblí.

Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

**Reason:** In the interest of public health.

12. (a) Tírdhreachófar an láithreán, agus déanfar oibreacha pábhála agus créfoirt, i gcomhréir leis an scéim mhionsonraithe tírdhreachaithe a cuireadh isteach i dteannta an iarratais pleanála, ach amháin i gcás go gcomhaontófar a mhalairt i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt.

- (b) Maidir le pailéad na n-ábhar a bheidh le húsáid, lena n-áirítear, mar shampla, troscán sráide agus pábháil a bheidh le húsáid i spásanna poiblí, agus maidir le bearta le haghaidh crainn agus fála sceaich a chosaint laistigh den láithreán agus in aice leis, comhaontófar iad i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt.

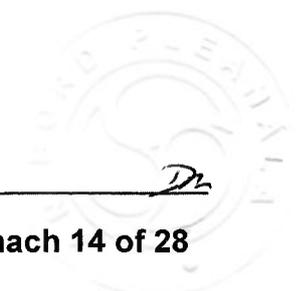
**Cúis:** Ar mhaithe le taitneamhacht cónaithe agus amhairc.

- (a) The site shall be landscaped and paving and earthworks shall be carried out in accordance with the detailed scheme of landscaping which accompanied the planning application, unless otherwise agreed in writing with the planning authority prior to commencement of development.
- (b) The palette of materials to be used, including street furniture, paving for example to be used in public spaces, and measures for the protection of trees and hedgerows within and adjoining the site shall be agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of residential and visual amenity.

13. Ceadaítear leis seo an fhorbairt a dhéanamh agus a chríochnú i gcomhréir ar a laghad leis na caighdeáin tógála atá leagtha amach sna Caighdeáin ón údarás pleanála maidir le Glacadh faoi Chúram. In éagmais caighdeán sonrath áitiúil, cloífear leis na caighdeáin atá leagtha amach sna 'Moltaí maidir le hOibreacha Forbartha Láithreáin do Limistéir Thithíochta' arna n-eisiúint ag an Roinn Comhshaoil agus Rialtais Áitiúil i mí na Samhna 1998. Tar éis an fhorbairt a chríochnú, déanfaidh an forbróir an fhorbairt a chothabháil i gcomhréir leis na caighdeáin sin go dtí go nglacfaidh an t-údarás pleanála faoi chúram í. Críochnófar na bóithre uile laistigh de theorainn líne goirme an láithreáin de réir na gCaighdeán ón údarás pleanála maidir le Glacadh faoi Chúram.

**Cúis:** Chun a chinntiú go ndéanfar an fhorbairt, agus go gcríochnófar í, de réir caighdeán inghlactha tógála.



The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998 shall be adhered to. Following completion, the development shall be maintained by the developer in compliance with these standards, until taken in charge by the planning authority. All roads within the blue line boundary of the site shall be finished to the required Taking in Charge Standards of the planning authority.

**Reason:** To ensure that the development is carried out and completed to an acceptable standard of construction.

14. Cuirfear na ceanglais seo a leanas ó thaobh tráchtá, iompair agus soghluaisteachta de san áireamh san fhorbairt bheartaithe agus, nuair is gá, cuirfear pleananna agus sonraí athbhreithnithe lena léirítear comhlíonadh na gceanglas sin faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula dtosófar an fhorbairt. Beidh na ceanglais sin mar a leanas:
- (a) Mionsonraí agus méid na gceanglas uile maidir le marcanna agus comharthaí bóthair ar bhóithre mórthimpeall.
  - (b) Na socruithe bóithre agus tráchtá lena bhfreastalófar ar an láithreán (lena n-áireofar comharthaí) i gcomhréir le ceanglais mhionsonraithe an údaráis pleanála le haghaidh oibreacha den sórt sin, agus is ar chostas an fhorbróra a dhéanfar na socruithe sin.
  - (c) Maidir leis an ngréasán inmheánach bóithre lena bhfreastalófar ar an bhforbairt bheartaithe, lena n-áireofar bána casta, acomhail, limistéir pháirceála, cosáin, raonta rothar agus colbhaí, trasrianta coisithe agus bána páirceála, comhlíonfaidh sé ceanglais an Lámhleabhair Deartha do Bhóithre agus Sráideanna agus aon cheanglais a bheidh i bhfeidhm ag an údarás pleanála le haghaidh oibreacha bóthair den sórt sin.

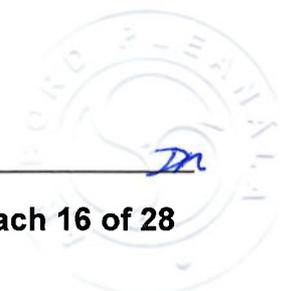
- (d) Beidh raonta rothar laistigh den fhorbairt bheartaithe i gcomhréir leis an treoir atá tugtha sa Lámhleabhar Náisiúnta Rothaíochta.
- (e) Comhlíonfaidh na hábhair a úsáidfear ar bhóithre agus cosáin na caighdeáin mhionsonraithe a bheidh i bhfeidhm ag an údarás pleanála le haghaidh oibreacha bóthair den sórt sin.
- (f) Déanfaidh an forbróir Iniúchadh Chéim 3 ar Shábháilteacht ar Bhóithre i leith na forbartha beartaithe ar chríochnú na n-oibreacha. Cuirfidh an forbróir an t-iniúchadh sin faoi bhráid an údaráis pleanála lena chomhaontú aige, agus cuirfidh sé chun feidhme na moltaí comhaontaithe uile a bheidh san Iniúchadh ar Shábháilteacht ar Bhóithre agus cumhdóidh sé na costais uile a bheidh ag baint leo.

Cheal comhaontú ar aon cheann de na ceanglais sin, tarchuirfear an ní chuig an mBord Pleanála lena chinneadh.

**Cúis:** Ar mhaithe le sábháilteacht tráchta, rothaithe agus coisithe agus ar mhaithe le taisteal inbhuanaithe.

The following requirements in terms of traffic, transportation and mobility shall be incorporated into the proposed development and, where required, revised plans and particulars demonstrating compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. These shall be as follows:

- (a) The details and the extent of all road markings and signage requirements on surrounding roads.
- (b) The roads and traffic arrangements serving the site (including signage) in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.



- (c) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings and car parking bays, shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the planning authority for such road works.
- (d) Cycle tracks within the proposed development shall be in accordance with the guidance provided in the National Cycle Manual.
- (e) The materials used on roads and footpaths shall comply with the detailed standards of the planning authority for such road works.
- (f) The developer shall carry out a Stage 3 Road Safety Audit of the constructed development on completion of the works and shall submit to the planning authority for agreement and shall carry out and cover all costs of all agreed recommendations contained in the Road Safety Audit.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In the interest of traffic, cyclist and pedestrian safety and sustainable travel.

15. Ba cheart stáisiún/pointí athluchtaithe feithiclí leictreacha atá feidhmiúil a bheith ag 10% ar a laghad de na spásanna comhchoiteanna páirceála uile a sholáthrófar, agus soláthrófar duchtú do na spásanna páirceála uile eile, lena n-áireofar spásanna laistigh den chúirtealáiste, rud a éascóidh suiteáil stáisiún/pointí athluchtaithe feithiclí leictreacha tráth níos déanaí. I gcás nár cuireadh tograí a bhaineann le duchtú agus stáisiún/pointí athluchtaithe feithiclí leictreacha a shuiteáil isteach i dteannta an iarratais pleanála, i gcomhréir leis na ceanglais thuasluaite, cuirfear tograí den sórt sin faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula n-áiteofar an fhorbairt.
- Cúis:** Chun a shocrú go n-éascóidh an fhorbairt úsáid feithiclí leictreacha agus/nó go mbeidh sí in ann úsáid feithiclí leictreacha a éascú sa todhchaí.

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

**Reason:** To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

16. Maidir le hoibreacha forbartha agus tógála láithreáin, ní dhéanfar iad ach amháin idir 0700 agus 1900 ón Luan go dtí an Aoine, agus an dá lá sin san áireamh, agus idir 0800 agus 1400 ar an Satharn, agus ní dhéanfar aon oibreacha ar bith ar an Domhnach ná ar laethanta saoire poiblí. Ní cheadófar aon imeacht ó na hamanna sin ach amháin in imthosca eisceachtúla ina bhfuarthas réamhcheadú i scríbhinn ón údarás pleanála.

**Cúis:** Chun taitneamhachtaí cónaithe na réadmhaoine sa chomharsanacht a choimirciú.

Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

17. Beidh gach cábla seirbhíse a bhaineann leis an bhforbairt bheartaithe (amhail cáblaí leictreacha, cáblaí teileachumarsáide agus cáblaí comhchoiteanna teilifíse) lonnaithe faoi thalamh. Seachnóidh na cáblaí sin fréamhacha na gcrann agus na bhfálta sceach a bheidh le coinneáil ar an láithreán. Soláthróidh an forbróir ductú ionas gur féidir bonneagar leathanbhanda a sholáthar laistigh den fhorbairt bheartaithe.

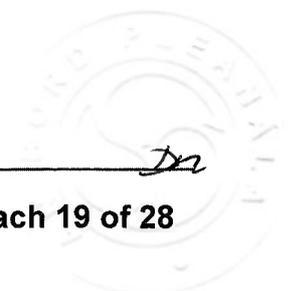
**Cúis:** Ar mhaithe le taitneamhacht amhairc agus cónaithe.

All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The cables shall avoid roots of trees and hedgerows to be retained on the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interest of visual and residential amenity.

18. Sula dtosófar an fhorbairt, ullmhófar Plean Bainistíochta Acmhainní agus Dramhaíola, mar atá leagtha amach sna Treoirínte Dea-Chleachtais ón nGníomhaireacht um Chaomhnú Comhshaoil maidir le Pleananna Bainistíochta Acmhainní agus Dramhaíola a Ullmhú do Thionscadail Tógála agus Scartála (2021), agus cuirfear é faoi bhráid an údaráis pleanála lena chomhaontú i scríbhinn aige. Áireofar leis an bPlean Bainistíochta Acmhainní agus Dramhaíola tograí sonracha maidir le conas a thomhaisfear éifeachtacht an Phlean agus conas a dhéanfar faireachán ar an éifeachtacht sin. Cuirfear na taifid uile (lena n-áireofar taifid a bhaineann le dramhaíl agus leis na hacmhainní uile) de bhun an Phlean chomhaontaithe Bainistíochta Acmhainní agus Dramhaíola ar fáil lena n-íniúchadh ag an oifig láithreáin i gcónaí.

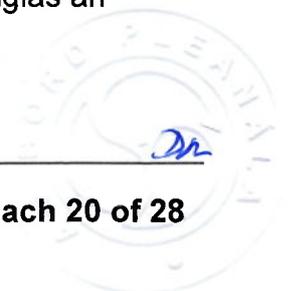
**Cúis:** Ar mhaithe le dramhaíl a laghdú agus ar mhaithe le hathchúrsáil a spreagadh.



Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of reducing waste and encouraging recycling.

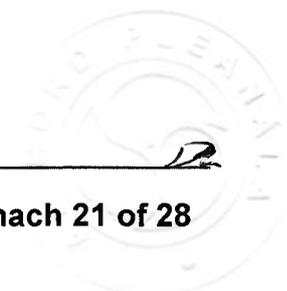
19. (a) Ar feadh tréimhse 15 bliana, déanfar 20% ar a laghad de na haonaid chónaithe (dhá aonad déag san iomlán) a cheadaítear leis seo a theorannú dá n-úsáid acu sin ar féidir leo a léiriú go bhfuil cumas acu teanga agus cultúr na Gaeltachta a chaomhnú agus a chosaint.
- (b) Sula n-áiteofar an fhorbairt, déanfaidh an forbróir comhaontú alt 47 leis an údarás pleanála chun díol aonaid na coda comhaontaithe de na gnéithe cónaithe den fhorbairt a cheadaítear leis seo a theorannú dá n-úsáid ag áititheoirí a bhfuil inniúlacht/líofacht chuí acu i nGaeilge, ach amháin i gcás, tar éis tréimhse nach lú ná dhá bhliain ó dháta críochnaithe gach aonaid tithíochta shonraithe, go léireofar é chun sástacht scríofa an údaráis pleanála nach rabhthas in ann gach aonad tithíochta sonraithe a dhíol lena úsáid ag áititheoirí a bhfuil an inniúlacht/an líofacht is gá acu i nGaeilge.
- (c) Beidh an cinneadh ón údarás pleanála a cheanglaítear i mír (b) faoi réir fianaise dhoiciméadach shásúil a bheith faighte ag an údarás pleanála ón bhforbróir maidir le díol agus margú na n-aonad tithíochta sonraithe. Sa chás sin, deimhneoidh an t-údarás pleanála i scríbhinn don fhorbróir nó d'aon duine a bhfuil leas aige nó aici sa talamh gur foirceannadh an comhaontú a rinneadh faoi alt 47 agus gur comhlíonadh ceanglas an choinníll pleanála sin i leith gach aonaid tithíochta shonraithe.



- (d) Beidh an iniúlacht/an líofacht chúí i nGaeilge a cheanglófar chun comhlíonadh an chlásail áitíochta sin a léiriú cosúil leis sin a cheanglaítear chun B2 ar a laghad a bhaint amach ag Meánleibhéal 2 de scrúduithe Theastas Eorpach na Gaeilge, agus soláthróidh áititheoir amach anseo gach aonaid cónaithe is ábhar don chlásal áitíochta sin cruthúnas chuige sin don fhorbróir agus don údarás pleanála, trí aighneacht comhlíonta, á léiriú go bhfuair aosach ainmnithe a chónóidh san aonad faoi seach pas sa scrúdú sin nó i scrúdú Gaeilge ag leibhéal den chineál céanna, laistigh de chreat ama réasúnach ón aonad cónaithe faoi seach a cheannach/a áitiú.
- (e) Leis an gcoinníoll sin, ní dhéanfar aon difear do dhíol na teaghaise ag morgáistí a bhfuil an teaghais ina sheilbh nó ina seilbh aige nó aici ná d'áitiú na teaghaise ag aon duine a dhíorthóidh teideal ó dhíol den sórt sin.

**Cúis:** Chun a chinntiú go n-úsáidfeadh na haonaid tithíochta bheartaithe chun freastal ar an mbeartas luaite iomchuí plean forbartha nó ar riachtanais luaite tithíochta an iarratasóra agus go mbeidh forbairt sa limistéar seo teoranta go cuí do fhreastal ar riachtanas bunriachtanach áitiúil chun teanga agus cultúr na Gaeltachta a chaomhnú agus a chosaint ar mhaithe le pleanáil chúí agus forbairt inchothaithe an limistéir.

- (a) A minimum of 20% of the residential units (twelve units in total) hereby permitted shall be restricted to use by those who can demonstrate the ability to preserve and protect the language and culture of the Gaeltacht for a period of 15 years.



- (b) Prior to occupation of the development, the developer shall enter into a Section 47 agreement with the planning authority to restrict the sale of units of the agreed portion of the residential elements of the development hereby permitted for the use of occupants who have an appropriate competence/fluency in Irish, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the written satisfaction of the planning authority that it has not been possible to transact each specified housing unit for use by occupants with the required competence/fluency in Irish.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning authority of satisfactory documentary evidence from the developer regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the developer or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.
- (d) The appropriate competence/fluency in Irish required to demonstrate compliance with this occupancy clause shall be akin to that required at a minimum pass level B2 Meánleibhéal 2 in the Teastas Eorpach na Gaeilge examinations, and a future occupier of each residential unit the subject of this occupancy clause, shall provide proof to the developer and planning authority, by way of a compliance submission, that a nominated adult residing in the respective household has completed such an examination, or similar level of examination in the Irish language, within a reasonable timeframe of purchasing/occupying the respective residential unit.

- (e) This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

**Reason:** To ensure that the proposed housing units are used to meet the stated relevant development plan policy or the applicant's stated housing needs and that development in this area is appropriately restricted to meeting essential local need to preserve and protect the language and culture of the Gaeltacht in the interest of the proper planning and sustainable development of the area.

20. (a) Sula dtosófar an fhorbairt, déanfaidh an t-iarratasóir nó aon duine a bhfuil leas aige nó aici sa talamh comhaontú leis an údarás pleanála (ar comhaontú é nach mór uimhir agus láthair gach tí a bheith sonraithe ann) de bhun alt 47 den Acht um Pleanáil agus Forbairt, 2000, arna leasú, lena dteorannófar na tithe ceadaithe iomchuí uile dá n-áitiú ag ceannaitheoirí aonair ar dtús, i.e., iad sin nach eintiteas corparáideach iad, agus/nó acu sin atá incháilithe le haghaidh tithíocht shóisialta agus/nó inacmhainne a áitiú, lena n-áirítear tithíocht ar cíós de réir costais.
- (b) Maidir le comhaontú a rinneadh de bhun alt 47, beidh feidhm aige ar feadh thréimhse an chheada pleanála, ach amháin i gcás, tar éis thréimhse nach lú ná dhá bhliain ó dháta críochnaithe gach aonaid tithíochta shonraithe, go léireofar é chun sástacht an údaráis pleanála nach rabhtas in ann gach teach sonraithe a dhíol lena úsáid ag ceannaitheoirí aonair agus/nó acu sin atá incháilithe le haghaidh tithíocht shóisialta agus/nó inacmhainne a áitiú, lena n-áirítear tithíocht ar cíós de réir costais.

- (c) Beidh an cinneadh ón údarás pleanála a cheanglaítear i mír (b) faoi réir fianaise dhoiciméadach shásúil a bheith faighte ag an údarás pleanála agus ag an údarás tithíochta ón iarratasóir nó ó aon duine a bhfuil leas aige nó aici sa talamh maidir le díol agus margú na n-aonad tithíochta sonraithe. Sa chás sin, deimhneoidh an t-údarás pleanála i scríbhinn don iarratasóir nó d'aon duine a bhfuil leas aige nó aici sa talamh gur foirceannadh an comhaontú a rinneadh faoi alt 47 agus gur comhlíonadh ceanglas an choinníll pleanála sin i leith gach aonaid tithíochta shonraithe.

**Cúis:** Chun forbairt tithíochta nua a theorannú dá húsáid ag daoine d'aicme nó de thuairisc ar leith chun rogha agus soláthar leordhóthanach tithíochta, lena n-áirítear tithíocht inacmhainne, a chinntiú ar mhaithe le leas an phobail.

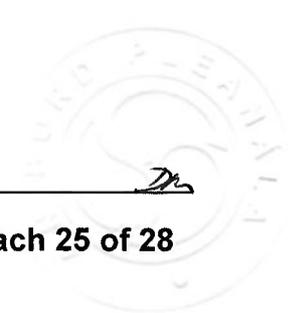
- (a) Prior to commencement of development, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house) pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all relevant houses permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

**Reason:** To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

21. Sula dtosófar an fhorbairt, déanfaidh an t-iarratasóir nó duine eile a bhfuil leas aige nó aici sa talamh lena mbaineann an t-iarratas comhaontú i scríbhinn leis an údarás pleanála i ndáil le tithíocht a sholáthar i gcomhréir le ceanglais alt 94(4) agus alt 96(2) agus (3) (Cuid V) den Acht um Pleanáil agus Forbairt, 2000, arna leasú, ach amháin i gcás go ndearnadh iarratas ar dheimhniú díolúine, agus gur deonaíodh an deimhniú sin, faoi alt 97 den Acht, arna leasú. I gcás nach dtiocfar ar chomhaontú den sórt sin laistigh d'ocht seachtaine ó dháta an ordaithe seo, féadfaidh an t-údarás pleanála nó aon pháirtí ionchasach eile sa chomhaontú an ní atá faoi dhíospóid (seachas ní a bhfuil feidhm ag alt 96(7) maidir leis) a tharchur chuig an mBord Pleanála lena chinneadh aige.

**Cúis:** Chun ceanglais Chuid V den Acht um Pleanáil agus Forbairt, 2000, arna leasú, agus ceanglais na straitéise tithíochta i bplean forbartha an limistéir a chomhlíonadh.

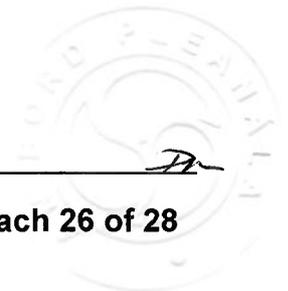


Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 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.

22. Sula dtosófar an fhorbairt, taiscfidh an forbróir leis an údarás pleanála taisce airgid, banna de chuid cuideachta árachais nó urrús eile chun a áirithiú go soláthrófar bóithre, cosáin, príomhlíonra uisce, draenacha, spás oscailte poiblí agus seirbhísí eile a cheanglaítear i ndáil leis an bhforbairt agus go ndéanfar iad a chríochnú agus a chothabháil go sásúil go dtí go nglacfaidh an t-údarás pleanála faoi chúram iad, mar aon le comhaontú lena dtabharfar de chumhacht don údarás pleanála urrús den sórt sin nó cuid de a úsáid chun aon chuid den fhorbairt a chríochnú nó a chothabháil go sásúil. Comhaontófar foirm agus méid an urrúis idir an t-údarás pleanála agus an forbróir nó, cheal comhaontú, tarchuirfear an ní chuig an mBord Pleanála lena chinneadh.

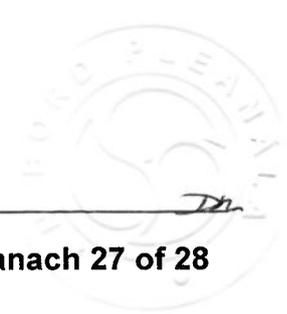
**Cúis:** Chun a chinntiú go ndéanfar an fhorbairt a chríochnú agus a chothabháil go sásúil go dtí go nglacfar faoi chúram í.



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 planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning 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.

23. Íocfaidh an forbróir leis an údarás pleanála ranníocaíocht airgeadais i leith bonneagar agus saoráidí poiblí a rachaidh chun tairbhe d'fhorbairt i limistéir an údaráis pleanála, ar nithe iad a sholáthróidh an t-údarás nó a sholáthrófar thar a cheann, nó a bhfuil sé beartaithe ag an údarás iad a sholáthar nó a bhfuil sé beartaithe iad a sholáthar thar a cheann, i gcomhréir le téarmaí na Scéime Ranníocaí Forbartha arna déanamh faoi alt 48 den Acht um Pleanáil agus Forbairt, 2000, arna leasú. Déanfar an ranníocaíocht sula dtosófar an fhorbairt nó trí cibé íocaíochtaí céimnithe a éascóidh an t-údarás pleanála, agus beidh sí faoi réir aon fhorálacha innéacsaithe is infheidhme den Scéim tráth na híocaíochta. Comhaontófar mionsonraí chur i bhfeidhm na Scéime idir an t-údarás pleanála agus an forbróir nó, cheal comhaontú, tarchuirfear an ní chuig an mBord Pleanála chun cur i bhfeidhm cuí téarmaí na Scéime a chinneadh.
- Cúis:** Ceanglaítear leis an Acht um Pleanáil agus Forbairt, 2000, arna leasú, go ndéanfaí coinníoll lena gceanglaítear ranníocaíocht i gcomhréir leis an Scéim Ranníocaí Forbartha arna déanamh faoi alt 48 den Acht a chur i bhfeidhm i leith an cheada.



The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



  
Declan Moore

Comhalta den Bhord Pleanála  
atá údaraithe go cuí chun  
séala an Bhoird a fhíordheimhniú.

Arna dhátú an 20<sup>th</sup> lá seo de MARCH 2025.