

An
Bord
Pleanála

Inspector's Addendum Report

ABP-321717A-25

Development

Permission for seven-year planning
permission for constructing 93
dwellings and a creche. A Natura
Impact Statement (NIS) accompanies
this application.

Location

Curryhills, Prosperous, Co. Kildare

Planning Authority

Kildare County Council

Planning Authority Reg. Ref.

2461111

Applicant(s)

Bernard Moran

Type of Application

Permission

Planning Authority Decision

Refuse permission

Type of Appeal

First Party

Appellant(s)

Bernard Moran

Observer(s)

None

Date of Site Inspection

2nd April 2025

Inspector

Emer Doyle

1.0 Introduction

This report has been prepared pursuant to the Board's Direction (reference number BD-019752-25) dated 23rd May 2025. It is an addendum report to the Inspector's Report in respect of ABP-321717-25, dated 20th April, 2025.

Following a meeting of the Board held on 23rd May 2025, they wished, under Section 137 of the Planning and Development Act 2000, (as amended), to take the following matter into consideration in determining the appeal:

- The National Planning Framework; First Revision, has been approved by both Houses of the Oireachtas following the decision of Government to approve it on 8th April 2025.

Specifically, the Board has decided that National Policy Objective 11 is a matter which will be taken into account in determining this appeal, by reference to reason no. 1 for refusal of Kildare County Council, which relates to the Core Strategy of the Kildare County Development Plan 2023-2029 and the housing targets for Prosperous set out therein.

NPO 11 states as follows:

'Planned growth at settlement level shall be determined at development plan-making stage and addresses with the objectives of the plan. The consideration of individual development proposals on zoned and services development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.'

As this was considered by the Board to constitute a new issue in the context of the appeal, the Board decided to issue a Section 137 notice to all parties in relation to National Planning Objective 11.

Section 131

The applicant was given an opportunity to comment on the correspondence received from the Department of Housing, Local Government and Heritage dated the 14th of March 2025.

The Department's concerns related to the following:

- The Natura Impact Statement rules out impacts on Ballynafagh Bog SAC. The Department is concerned that a hydrogeological risk assessment has not been carried out, and that groundwater impacts on the SAC and its habitats have not been fully assessed.
- In relation to Ballynafagh Lake SAC, the AA Screening submitted with the application rules out impacts and states that there is no hydrological link. This is incorrect as there is a hydrological connection between the proposed development and Ballynafagh Lake SAC, and subsequently is a pathway for significant adverse effects on this designated site.
- Consideration must be given to the hydrogeological connectivity between the proposed development site and Natura sites. Any adverse impacts on groundwater could negatively affect the Site Specific Conservation Objectives for Natura 2000 sites. The maintenance of a high water table is essential to sustain raised bog and fen habitats and species. Ballynafagh Bog SAC has Annex 1 raised bog habitats and Ballynafagh Lake SAC has Annex 1 alkaline fen habitat, all of which are dependent on high water tables. Ballynafagh Lake SAC is also designated for two groundwater dependent habitats/ species- Alkaline fens and Desmoulins Whorl Snail. The proposed development is also located within the same groundwater body as Ballynafagh Lake SAC, i.e. the Kildare GWB, which has not been acknowledged in the NIS. Annex II Vertigo species rely on stable and specific groundwater conditions and are vulnerable to changes in surface and groundwater quality which may impact the habitats they rely on.
- A reduction in air quality may occur during construction works. This includes a reduction in photosynthesis due to smothering from dust on plants and chemical changes such as acidity to soils. Further information should be sought in relation to this potential impact.
- Marsh fritillary butterfly is a QI Species for Ballynafagh Lake SAC. Whilst it is acknowledged that the habitats within this site are unlikely to be suitable for this species, ex situ habitat should also be considered when assessing potential impacts.

- The report does not address potential hydrological and hydrogeological impacts on the Qualifying Interest habitats and species. The Department recommends that Further Information is provided on this to ensure that all potential impacts on Annex 1 habitats and Annex II species are assessed.
- An Ecological Impact Assessment containing survey work has not been submitted as required by Objective BI 01 of the Kildare County Council Development Plan.

2.0 Response of Relevant Parties to Further Information Request

Applicant's response

National Planning Framework Objective 11

- Summary of Site History- lands have been identified for development by Kildare County Council over two decades.
- It is contended that the Commission should take the broader approach to the consideration of individual development on zoned lands rather than targets alone as set out in Section 2.7 of the National Planning Framework Revision.
- It is understood that at the time of writing, the revised population figures have not yet been communicated to the planning authorities.
- In the current case, there is no need to re-zone land or to amend or vary a plan- the lands are already zoned for new residential development.
- In a history file on the site under ABP 314153-22, the Board considered that the development of these lands would be acceptable and appropriate. Notwithstanding these conclusions, permission was ultimately refused by the Board as part of the proposed development was located on lands zoned as open space.
- The site is contiguous to the village of Prosperous and together with other permitted developments in Prosperous will bring forward some major pieces of infrastructure envisaged in the Kildare County Council Development Plan.

- Appendix A contains a letter from Uisce Eireann confirming that the pre-connection enquiry has been completed and the water and wastewater connections are feasible without infrastructure upgrades.

Ecology

The response is accompanied by the following in relation to the submission from the Department of Housing, Local Government and Heritage.

- Appendix B - Letter from John Brophy -Director of Ecology
- Figure 1 attached shows the corrected route of the River Slate in pink- The EPA mapping is incorrect and there is no hydrological connection to Ballynafagh Lake SAC.
- The site is located 180m from the eastern boundary of Ballynafagh Bog SAC and 380m from the high bog habitat that contains the sensitive habitats that are qualifying interests for the SAC. The preliminary construction and environment plan sets out dust control measures. Having regard to the temporary nature of construction and the dust control measures, the SAC and the high bog in particular will not be exposed to wind deposited dust at levels that will have an adverse effect.
- Appendix C – Ecological Impact Assessment – contains updated walkover study and breeding bird survey. There was no badger activity or evidence of badger activity during the walkover survey. There were no otter holts visible during the walkover survey. No evidence of invasive species were present on the site.

3.0 Further Submissions

The Department of Housing, Local Government and Heritage response to the Further Information Submission can be summarised as follows:

- The Department accepts the clarifications of the applicant in response to the concerns raised in relation to impacts on groundwater and surface water and has no further comment. The Department also acknowledges the Further Information in relation to air quality and marsh fritillary and has no further

comments. In relation to the Ecological Impact Assessment, the Department notes that a breeding bird survey was only carried out in one season only, and recommends that should permission be granted a condition is attached to ensure that all vegetation removal works are undertaken outside of the Breeding Bird season. The Department notes a badger survey was not undertaken as impacts on badgers were ruled out due to soil conditions and absence of evidence of badgers. The Department recommends that should permission be granted, a pre-construction Badger Survey is undertaken. It notes that an otter survey was undertaken. Mitigation measures proposed within the EclA include measures in relation to lighting design and surface water quality. It is recommended by the Department that willow trees are not removed as set out in the EclA as they provide good holting opportunities for otters amongst other benefits. The Department has no further comments in relation to a bat survey. The Department notes the assessment in relation to the proposed Natural Heritage Areas and has no further comments.

4.0 Assessment

4.1. National Planning Framework Objective 11

4.1.1. I refer the Commission to the First Party Response in relation to the National Planning Framework – specifically NPO11. I also note that in the intervening time between my first report and this report, there is a proposed variation to the Kildare County Council Development Plan. Submissions closed on the 27th of November 2025 and I note that a total of 144 submissions were made to the Planning Authority. The proposed variation comprises of amendments to; Chapter 1 Introduction and Strategic Context, Chapter 2 Core Strategy and Settlement Strategy, Chapter 3 Housing, and Chapter 15 Development Management Standards of the Written Statement (Volume 1) of the Plan to include the following overarching policy amendments:

- An increase in County Kildare's housing growth requirement for the remaining 3 years of the Plan, to align with the NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities (2025).

- Revised residential density ranges and criteria for new residential developments, to align with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).

Table 2.4B sets out the additional housing growth requirement for County Kildare over and above the existing core strategy.

| Year | Current CDP Core Strategy Allocation (i.e. 1,524 p/a) | New Housing Growth Requirement (i.e. 2,755 p/a) | New Additional Provision (i.e. up to 50% of 2,755 p/a) |
|-----------------------------------|--|--|---|
| 2026 | 1,524 | +1,231 | +1,377.5 |
| 2027 | 1,524 | +1,231 | +1,377.5 |
| 2028 | 1,524 | +1,231 | +1,377.5 |
| Sub Totals | 4,572 | +3,693 | +4,132.5 |
| New Additional Requirement | | +7,826 in addition to Core Strategy | |

Table 2.4B: Additional housing growth requirement for County Kildare, 2025

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4.1.2. As I noted in Section 7.4 of my initial report, there is an overreliance on Clane and other areas in the social infrastructure assessment (Objective SC 016) carried out in the application documentation. Nevertheless, I am satisfied that the range of facilities and services on offer within the town of Prosperous are appropriate to its designation as a 'Town' in the core strategy of the Development Plan. I am satisfied that the site is located on zoned land within an existing settlement which has been identified for development over a very long time frame. The site is within easy walking distance of the village of Prosperous and in close proximity to existing housing developments and community facilities. The National Planning Framework emphasises a broader approach to development on zoned lands rather than precise numbers and targets alone. I consider that this is a reasonable approach in this instance, having regard to the zoning of the site, the location of the site within the settlement, and the recent planning history on the site. In this regard, I refer the Board to the Reasons and Considerations under ABP 314153-22 which stated in the first reason for refusal that 'given the nature and scale of the proposed

development, the site's urban location and its proximity to public transport, the Board considered the development of the site to be acceptable and appropriate in principle.' As such, I am of the view that whilst the overall total for development in Prosperous currently exceeds the figures set out in the core strategy, I consider that the residential development would be acceptable in terms of design, layout, scale and mix. Further, it would promote the appropriate and efficient development of housing on accessible and sustainable lands and having regard to the criteria set out above, there is a need to have regard to a broader set out considerations rather than targets alone, the response to the appeal is robust in terms of these factors, and I am satisfied that this is an appropriate and sustainable location for development.

4.2. **Ecology**

4.2.1. An updated Ecological Impact Assessment Report was submitted as required by Objective BI O1 of the Development Plan and in response to the Section 131 notice. I note that the initial survey work was carried out in December 2021 in relation to a previous application for 94 dwellings on the site. This has now been updated by further surveys. A walkover survey of the site was undertaken on the 19th of July 2025. A breeding bird survey was undertaken on the 12th of June 2025. A nighttime bat survey was undertaken on the 17th of June 2025. A Eleckon Batlogger S2 detector was used to monitor bat activity through the night on the 19th of June 2025/ morning 20th June 2025 and night of 20th June 2025/ morning 21st June 2025. The report states that there was a lot of nighttime bat activity on both nights. There was no badger activity or evidence of badger activity during the walkover survey. There were no otter holts visible during the walkover survey. No evidence of invasive species were present on the site. Section 7.1 describes direct and indirect impacts during construction. Section 7.2 describes direct and indirect impacts post construction. Section 8 outlines a number of mitigation measures and Section 9 concludes that the proposed development will not impact on local ecology or designated sites.

4.2.2. The response from the Department of Housing, Local Government and Heritage was generally satisfied with the information submitted. It recommended that should

the Commission be minded to grant permission, conditions should be included as follows:

Breeding Birds - all vegetation removal should be undertaken outside of the Bird Breeding season, which is between the 1st of March and the 31st of August.

Badgers - A pre-construction badger survey is recommended.

Otters – The Department recommends that willow trees are not removed from the Slate River as they provide good holting opportunities for otters adjacent to watercourses/ along riverbanks, amongst other benefits such as bank stabilisation and improving water quality and filtering runoff.

4.2.3. I have examined the updated Ecological Impact Assessment with walkovers and survey work undertaken in June 2025 and consider that it is generally satisfactory. I note that no badger survey took place and the report is based on a walkover survey only. I note that the bird survey was for one season only given the time limitations involved. I note that the Arboriculture Report submitted with the application did not recommend removing any willow trees. It recommended that the white willow tree T19 was coppiced to allow it to regenerate within the larger tree and hedge group and that the other willow trees remained. As such, I am satisfied that the benefits of willow trees to otters and water quality and bank stabilisation will be maintained and safeguarded. I consider that the conditions recommended by the Department of Housing, Local Government and Heritage as set out in Section 3 of this report are reasonable in this case.

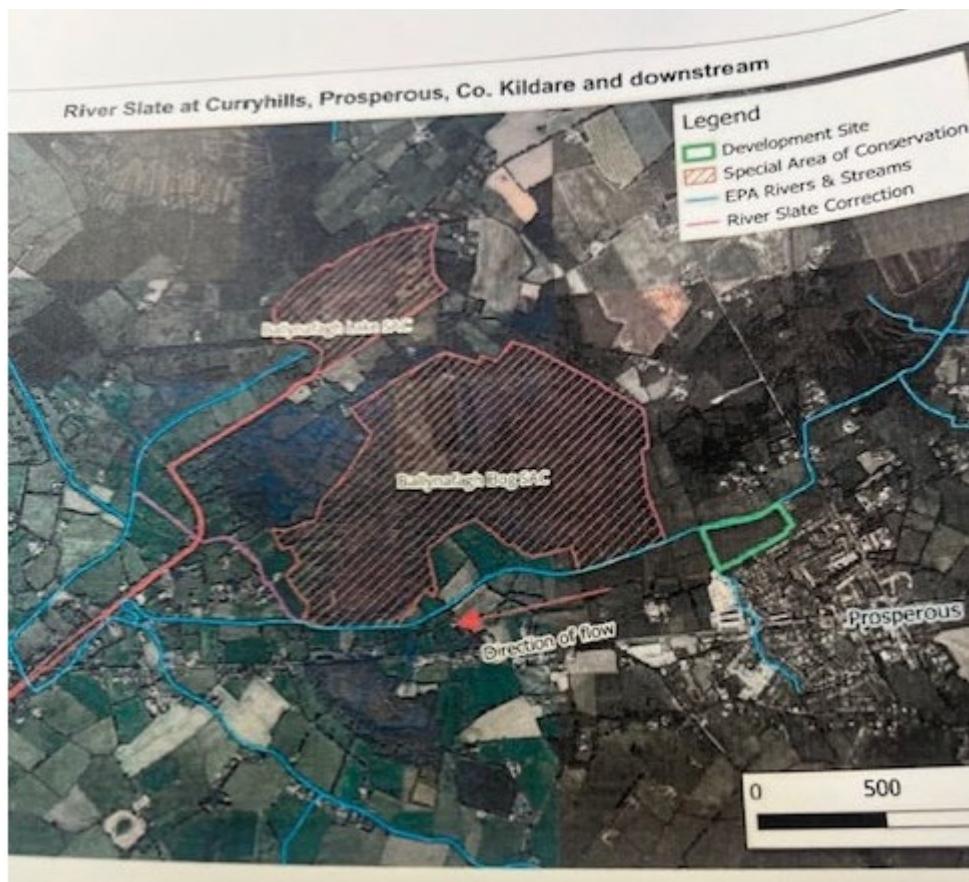
4.3. Other Matters- 7 Year Permission

4.3.1. The applicant has sought a 7 year permission in this case. I am not satisfied that having regard to the nature and extent of the proposed development of 93 dwelling units, it would be appropriate to specify a period of validity in excess of five years. I consider that it would be appropriate to include a phasing condition to regulate the proposed development in the interests of future occupants.

4.4. Appropriate Assessment

4.4.1. An updated letter has been submitted with the response which clarifies the situation in relation to the hydrological connections between Ballynafagh Lake SAC and the site and Ballynafagh Bog and the site.

- It is stated that the EPA mapping is incorrect and the reality on the ground is different from that identified on the mapping. This updated map has been included in the appeal response, and I have attached it below for the attention of the Commission. Having regard to the situation on the ground as identified in the response, there is no hydrological connection between the proposed development site and Ballynafagh Lake SAC.



- It is stated that the preliminary construction and environmental plan submitted with the application sets out measures to control dust produced on-site during construction. The temporary nature of construction works over a limited area with prevailing winds blowing from the southwest would mean that Ballynafagh Lake SAC and the high bog in particular, would not be exposed to wind-deposited dust from the proposed development at levels that would have an adverse effect.

- In relation to the impact on Marsh Fritillary, there is no suitable habitat for this species within the development site, which comprises of agricultural pastureland and hedgerows. Similarly, the area of Ballynafagh Bog visited in the preparation of the NIS did not have any suitable Marsh Fritillary habitat.

4.4.2. The response from the Department of Housing, Local Government and Heritage accepts the clarifications of the applicant in relation to the above.

4.4.3. Having regard to the clarifications set out in the response, I am now satisfied that the information before the Commission is complete and accurate in terms of the situation on the ground as identified above.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that it is not possible to exclude that the proposed development alone, or in combination with other plans and projects, will give rise to significant effects on the Ballynafagh Bog SAC in view of the sites conservation objectives. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act, 2000, as amended] for the proposed development is required.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Ballynafagh Bog SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.

Following an examination, analysis and evaluation of the NIS, together with information submitted to the Commission on the 26th of June 2025 and all associated material submitted and taking into account all observations/submissions received, I consider that adverse effects on site integrity of the Ballynafagh Bog SAC can be excluded in view of the conservation objectives of this site and that no reasonable scientific doubt remains as to the absence of such effects. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- The proposed development will not affect the attainment of conservation objectives for the Ballynafagh Bog SAC or prevent or delay the restoration of favourable conservation condition of species.
- Effectiveness of mitigation measures proposed.

Recommendation

4.5. I recommend that permission is GRANTED for the development in accordance with the following reasons and considerations:

Having regard to the provisions of the Kildare County Development Plan 2023-2029 including the zoning objectives for the site, the nature of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health or the environment or ecology and would not have significant transport or traffic impacts. The proposed residential development would be acceptable in terms of design, layout, scale and mix and would promote the appropriate and efficient development of housing on accessible and sustainable lands which would comply with the policies and provisions of the development plan insofar as they relate to residential development. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application and the response to the Section 131 notice, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Ballynafagh Bog SAC 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.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on Ballynafagh Bog SAC in view of the site's conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the site using the best available scientific knowledge in the field. In completing the assessment, the Commission 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 Site.

In completing the Appropriate Assessment, the Commission 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, having regard to the site's conservation objectives. In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Site in view of the conservation objectives for the site. 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.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars received by An Coimisiún Pleanála Pleanála on the 20th of January 2025 and the 26th day of June, 2025, except as may otherwise be required in order to comply with the following conditions. Where such

conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the development hereby permitted may be carried out shall be five years from the date of this Order. A phasing plan shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.

Reason: Having regard to the nature and extent of the proposed development, the Commission considered that a five year period was appropriate and to ensure the timely provision of services for the benefit of the occupants of the proposed houses.

3. The mitigation measures contained in Section 8 of the Ecological Impact Assessment Report as submitted to the Commission dated the 26th day of June 2025 shall be implemented in full. In addition, a pre-construction badger survey shall be carried out prior to commencement of development.

Reason: To mitigate the loss of biodiversity on the site.

4. Details of the materials, colours and textures of all the external finishes to the proposed buildings (including bin stores and secure bicycle parking) shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development.

Reason: in the interest of visual amenity

5. The landscaping scheme, as received by the planning authority on the 24th of October 2024 shall be carried out no later than the first planting season after the first occupation of each phase of the development on site.

The following shall be carried out:

- (a) All trees and plant species shall be native species and no invasive species are permitted.

(b) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity and to preserve local biodiversity.

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall contain all technical specifications for lights and columns and lighting along pedestrian routes through open spaces and shall take account of trees and landscaping. 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.

7. Prior to the commencement of development, the developer shall submit all drainage arrangements, including the attenuation and disposal of surface water for the written agreement of the planning authority for such works and services.

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

8. Prior to the commencement of development, the developer shall enter into a connection agreement with Uisce Eireann to provide for a service connection to the public water supply and wastewater collection network. All works shall comply with Uisce Eireann's Connection and Developer Services Standard Details and Code of Practice.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

9. The construction of the development shall be managed in accordance with an updated Construction and Environmental Management Plan (CEMP), which shall be submitted to, and agreed in writing with the planning authority

prior to commencement of development. This plan shall incorporate details for the following:

- (a) the location of the site and materials compound including areas identified for the storage of construction refuse;
- (b) the location of areas for construction site offices and staff facilities;
- (c) details of site security fencing and hoardings;
- (d) details of on-site car parking facilities for site workers during the course of construction;
- (e) 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;
- (f) measures to obviate queuing of construction traffic on the adjoining road network;
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) the 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) the off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) the means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;

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

Reason: In the interest of amenities, public health and safety and environmental protection.

10. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. 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 the proper planning and sustainable development.

11. A plan containing details for the management of waste 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 residential unit shall be submitted to, and agreed in writing with, the planning authority not later than three months from the date of commencement of the development.

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

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

12. The internal roads serving the proposed development, including turning bays, junctions, car parking and bicycle parking areas, footpaths, kerbs and finishes/materials/signs shall comply with the detailed standards of the planning authority for such road works, and shall comply, in all respects, with the standards set out in Design Manual for Urban Roads and Streets

(DMURS). Details of same shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

13. All communal parking areas serving the residential units shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with the requirements of the Kildare County Development Plan 2023-2029 in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.

14. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

15. Proposals for an estate/street name, house/apartment 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/apartment 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/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 placenames for new residential areas.

16. The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company. Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with the planning authority before any of the residential units are made available for occupation.

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

17. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual amenity.

18. 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 on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún 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 for the area.

19. 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 Coimisiun Pleanála for determination.

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

20. 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 Coimisiun 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Emer Doyle
Planning Inspector

9th December 2025