

Kells Town Council  
Planning Dept.  
Civic Offices  
Kells,  
Co. Meath  
Phone: 046 9240064/9240076 Fax: 046 9249316

Planning & Development Act 2000  
NOTIFICATION OF FINAL GRANT

TO: Philip Mahon  
c/o Maria Gunn  
Oppermann Associates,  
Unit D1, The Steelworks,  
Foley Street, Dublin 1

OPPERMANN ASSOCIATES RECEIVED	
1.1 AUG 2008	
CHKD	ACTION BY

Planning Register Number: KT/800006  
Application Receipt Date: 07/04/2008  
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Act, Kells Town Council have by Order dated 30/05/2008 GRANTED PERMISSION to the above named for the development of land in accordance with the documents submitted namely:- construction of a 3 storey terrace containing: 6 no. two bedroom duplex dwellings (76.53sq.m. gross floor area each) with private external second floor roof terraces and first floor terrace (totalling 20.3sqm area) over 6 no. two bedroom ground floor apartments (64.6sqm gross floor area each) with private ground floor external terraces (totalling 15.1sqm area) with associated hard landscaped parking court to front with single vehicular entrance from Pitcher Lane, semi-private linear garden to rear (306sqm area), 1 storey bin storage building and associated landscape, boundary and civil engineering works. The overall roof height proposed is 10.36m above adjacent ground level (at highest point). Gross floor area of the development is 870.8sqm. Total number of dwelling units is 12 at Pitcher's Lane, Kells, Co. Meath subject to the 30 conditions set out in the Schedule attached.

Signed on behalf of KELLS TOWN COUNCIL.

  
Town Clerk

DATE: 4/7/2008

**NOTE: (Outline Permission Applications Only)**

OUTLINE PERMISSION is subject to the subsequent Application for Permission consequent on the grant of Outline Permission of the Planning Authority. Until such has been obtained to detailed plans of the development proposed, the development is NOT AUTHORISED.

**NOTE:**

The permission herein granted shall, on the expiration of 5 years beginning on the date of the granting of permission, cease to have effect as regards: -

- (1) In case the development to which the permission relates is not commenced during the period, the entire development and

**Schedule of Conditions**

- 1 The development shall be in accordance with plans and particulars submitted on 07/04/2008 except where conditions hereunder specify otherwise.

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

- 2 All surface water run-off from roofs, entrances and parking areas shall be collected and disposed of within the site to the surface water drainage system. It shall not be discharged to the public sewer.

**Reason:** In the interest of proper development.

- 3 Surface water from site shall be prevented from running onto surface of public road by provision of a safety kerb or a concrete grid with sump drained to local drain or soakaway.

**Reason:** To prevent flooding of public road and in the interest of traffic safety.

- 4 All service lines and cables servicing the proposed development shall be located underground except where otherwise agreed with the Planning Authority.

**Reason:** In the interest of orderly development and visual amenity.

- 5 Prior to the commencement of development the applicant shall submit for the written agreement of the Planning authority a revised site layout plan whereby the proposed footpath is increased in size to 2 metres to cater for pedestrian movements.

**Reason:** In the interest of orderly development.

- 6 Prior to the commencement of development the applicant shall submit for the written agreement of the Planning Authority precise details in relation to the demarcation of the town wall.

**Reason:** In the interest of architectural conservation.

- 7 Prior to the commencement of development a sample panel of all the external materials, colours and finishes, including roof materials to be used shall be submitted for the written approval of the Planning Authority.

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

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- 8 The applicant shall install a petrol interceptor at the entrance to the development. The location and specification of the interceptor is to be agreed with the Kells Town Engineer.

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

- 9 The applicant shall install a bulk water meter with chamber, of a specification approved in writing by Kells Town Council, on the water service connection to this development. The location of the water meter shall be agreed with the Kells Town Engineer prior to commencement.

**Reason:** In the interest of orderly development

- 10 The applicant shall install water meters, of a specification approved in writing by Kells Town Council, on all water service connections to individual residential units within the boundary of the development.

**Reason:** In the interest of orderly development

- 11 Specific details regarding parking space finishes and markings shall be agreed in writing with the Planning Authority prior to the commencement of development. Car parking spaces shall have dimensions 2.5 x 5 metres and shall be marked with luminous road paint.

**Reason:** In the interest of traffic safety.

- 12 No alterations shall be made to the public road or footpath without the prior agreement of the Council.

**Reason:** In the interest of orderly development.

- 13 No development exempted or otherwise shall be erected over the public sewer, drain or watermain.

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

- 14 Prior to the commencement of development the applicant shall enter into a legal agreement pursuant to Part V of the Planning and Development Act 2000-2002, providing for the transfer to the Local Authority of (a) land, (b) serviced sites, (c) housing units, where (a) to (c) maybe on site or within the jurisdictional area of the Planning Authority, (d) payment of monetary contribution, or (e) combination of (a) to (d), in a manner to be agreed with the Planning Authority and which shall be disposed of in accordance with the Planning Authority housing strategy.

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

- 15 All roads, footpaths, sewers, surface water drains and all associated fixtures, services and site development works shall be completed in accordance with the current "Guidelines for the Design & Construction of Housing Estates in Co. Meath".

**Reason:** In the interest of proper planning, site development layout and construction.

16. All roads shall be completed to meet the requirements of the Department of the Environment "Specification for Road Works" and flexible road surfaces shall be finished in 2 layers (40m.m.each) of dense bituminous macadam surface dressed once. Concrete roads shall have a minimum concrete depth of 200m.m.

**Reason:** In the interest of proper development and construction.

17. Street lighting shall be provided and made operational and it shall be in accordance with the standards laid down in the current E.S.B. Publication "Public Lighting in Residential Estates". Lanterns shall be of S.O.N. type.

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

18. Prior to the commencement of development, proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to the Planning Authority for agreement.

**Reason:** In the interest of orderly development and to assist residents and the postal authorities.

19. Estate and street plates shall be of a design and at a location to be agreed in writing with the Planning Authority.

**Reason:** To assist residents and the postal authorities.

- 20 All roads, footpaths, public lighting and underground services shall be completed prior to the occupation of the first dwelling. No dwelling shall be occupied until such time as public water and sewerage facilities are provided.

**Reason:** In the interest of proper and orderly development and the convenience and necessities of residents.

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21. All footpaths shall be concrete bayed, slabbed or tiled. They shall be dished at all road junctions and at all entrances and shall be level with the carriageway at such points.

**Reason:** To facilitate pedestrian access particularly to those pushing prams, the elderly, and the handicapped.

22. All access, foul sewerage, surface water and public mains details shall be agreed in writing with the Kells Town Engineer prior to the commencement of development.

**Reason:** In the interest of proper development

23. The developer shall ensure that there is no spillage of rubble or other building materials outside of the application site.

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

24. Prior to the commencement of development, the developer shall submit, for the written agreement of the Planning Authority, details of a management scheme providing adequate measures relating to the future management and maintenance of private open spaces, roads, communal areas and paved pedestrian precincts within the site boundaries onwards from their completion in a satisfactory manner. The scheme shall include the incorporation of a management company to address this task and with capacity to resource their activities adequately.

**Reason:** To ensure the adequate future maintenance of this private development and in the interest of residential amenity.

25. The developer shall pay the sum of €22,018 to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision, refurbishment, upgrading, enlargement or replacement of water treatment and mains water network infrastructure by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Kells Town Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 – 2002. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31<sup>st</sup> December, 2008 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices – Building and Construction (Capital Goods) published by the Central Statistics Office.

**Reason :** The provision of such sanitary services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

- 26 The developer shall pay the sum of €45,634 to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision, refurbishment, upgrading, enlargement or replacement of waste water treatment facilities, waste water and surface water sewer network, drains and associated infrastructure by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Kells Town Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 – 2002. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31<sup>st</sup> December, 2008 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices – Building and Construction (Capital Goods) published by the Central Statistics Office.

**Reason :** The provision of such sanitary services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

- 27 The developer shall pay the sum of €45,756 to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision, refurbishment, upgrading, enlargement or replacement of public roads and public transport infrastructure by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Kells Town Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 - 2002. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31st December, 2008 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices – Building and Construction (Capital Goods) published by the Central Statistics Office.

**Reason :** The provision of such roads and public transport infrastructure in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing these services.

- 28 The developer shall pay the sum of €29,922 to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision and extension of social infrastructure (open spaces, recreational and community facilities, amenities and landscaping works) by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Kells Town Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 – 2002. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31st December, 2008 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices – Building and Construction (Capital Goods) published by the Central Statistics Office.

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**Reason :** The provision of such social infrastructure in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing these services.

29 Pre-development testing shall consist of the following:

a) The applicant is required to engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930-2004) to carry out pre-development testing at the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.

b) The archaeologist is required to notify the Department of the Environment, Heritage and Local Government in writing at least four weeks prior to the commencement of site preparations. This will allow the archaeologists sufficient time to obtain a license to carry out the work.

c) The archaeologist shall carry out any relevant documentary research and may excavate test trenches at locations chosen by the archaeologist, having consulted the proposed development plans.

d) Having completed the work, the archaeologists shall submit a written report to the Planning Authority and to this department for consideration.

e) Where archaeological material is shown to be present, avoidance, preservation *in situ*, preservation by record (excavation) and/or monitoring may be required and the Department of the Environment, Heritage and Local Government will advise the Applicant/Developer with regard to these matters.

f) No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the Planning Authority in consultation with the Department of the Environment, Heritage and Local Government.

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

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30. Prior to commencement of development the applicant shall submit for written agreement of the Planning Authority a landscaping scheme, providing for a dense screening belt along the site boundaries, detailing the type and species of trees and shrubs to be planted, the no. of trees and shrubs, their locations and a schedule of planting. The landscaping scheme shall be prepared and certified by a qualified professional. The use of conifers shall not be permitted.

**Reason:** In the interests of visual amenity