



Comhairle Contae Chill Mhantáin
Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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PLANNING & DEVELOPMENT ACTS 2000 (as amended)

NOTIFICATION OF DECISION TO GRANT

Declan Keena
C/o Oarad Ltd
Croi Lar
Mountshannon
Co. Clare V94 D9X9

Planning Register Number: 19/1174
Valid Application Received: 29/10/2019
Further Information Received Date: 09/11/2020

In pursuance of the powers conferred upon them by the above-mentioned Act, Wicklow County Council has by Order dated 4/12/20 decided to GRANT PERMISSION for development of land, namely:-

7 no 2 storey 4 bedroom detached houses, 1 no new road entrance, connection to public services, ancillary landscaping, boundary treatments and associated site works at Togher More, Roundwood, Co. Wicklow.

Subject to the 19 conditions set out in the attached schedule.

Signed on behalf of Wicklow County Council.


SENIOR EXECUTIVE OFFICER
PLANNING, DEVELOPMENT AND ENVIRONMENT

Date: 4/12/2020

Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas.
This document is available in alternative formats on request.

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



PLANNING & DEVELOPMENT ACT 2000 (as amended)

Reference Number in Register: 19/1174

SCHEDULE

Pursuant to the Planning & Development Act 2000 (as amended), permission is hereby granted, ~~having regard to the planning history of the site, location and layout of the proposed development, the zoning objective for the lands as set out in Roundwood Town Plan, and the provisions of County Development Plan 2016-2022,~~ it is considered that subject to compliance with the attached conditions the development would accord with the zoning objective as set out in the County Development Plan 2016-2022, would not result in a negative adverse impact in terms of amenity, noise, traffic or result in the deterioration of the environment, and would accord with proper planning and sustainable development.

General

1. This permission refers to the development as described in the documents lodged, as revised by the particulars submitted on 9th November 2020, save as the conditions hereunder require.

REASON: For clarification.

2. (a) Before development commences, a full and detailed construction management plan shall be submitted to and agreed in writing with the Planning Authority, which shall include, inter alia, a construction programme for the works, a traffic management plan, noise and dust mitigation measures (including details of a truck wheel wash at the site entrance) and details of construction lighting. The Plan shall also set out the programme for effective removal of Invasive Species on site.

(b) A Construction Manager shall be appointed to liaise directly with the various sections of the Council.

(c) Site development and building works shall be carried out only between the hours of 0800 to 1800 Monday to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

REASON: In the interest of residential amenity, traffic/ pedestrian safety and proper planning and sustainable development.

3. (a) The use of two of the proposed dwellings shall be restricted to persons who comply with the Settlement Strategy for Level 6: Rural Towns as set out in the County Development Plan 2016-2022, and as the Planning Authority agrees to in writing.



This requirement shall be embodied by a legal undertaking by the occupant of every dwelling restricted by this condition, and shall be registered as a burden against the title of the land in the Land Registry or Registry of Deeds and **shall be of seven years duration from the date of first occupation.**

(b) The Planning Authority will consent to any sale of the completed dwellings by a lending institution in exercise of its powers as Mortgager in possession of this property and likewise consent to any sale by any person deriving title from the lending institution.

(c) **No development shall commence on the houses** until the sites to be restricted in accordance with this condition have been confirmed in writing with the Planning Authority.

(d) **No occupation of any dwelling shall occur until** confirmation from a solicitor with professional indemnity insurance that the dwellings have been sold in accordance with this condition.

(e) **Within two months of the occupation of any dwelling,** restricted by this condition the occupier shall submit to the Planning Authority, a written statement of confirmation of the date of occupation of the dwelling.

REASON: To ensure that dwellings are suitably restricted to meet local growth needs as opposed to regional needs, to ensure the development meets with the requirements of the Regional Planning Guidelines and the County Development Plan with respect to development in the Hinterland areas, in the interests of proper planning and sustainable development

Financial

4. **Before development commences,** the developer shall pay the sum of **€87,486(Eighty seven thousand four hundred and eighty six euro)** to the Planning Authority as a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

The contribution sought is in accordance with Wicklow County Council's Development Contribution Scheme for the area in which the site is located and Section 48(1) of the Planning and Development Act 2000.

Where the contribution remains unpaid the monies payable shall be updated in accordance with the Wholesale Price Index as published by the Central Statistics Office on the 1st January of each year following the date of the Final Grant.

REASON: The public infrastructure and facilities included in the Development Contribution Scheme will facilitate the development and it is considered reasonable that the developer should contribute towards the cost thereof.



5. **No development shall be commenced** until cash security for the provision of and satisfactory completion of open space, roads, footpaths, storm water sewers, public lighting, other public facilities, including maintenance until taken in charge by Wicklow County Council, and the satisfactory compliance with the conditions of this permission, has been given. This cash security is required by the Council for application at its absolute discretion if such facilities are not duly provided to its satisfaction. The cash security shall be given by:-

Lodgement with the Council of the sum of **€150,000(One hundred and fifty thousand euro)**. If development has not commenced **within one calendar year from the date of the grant of this permission, or if it remains incomplete within three years of the commencement of development**, the Council may at its discretion require an increase in the amount of the cash security in line with the Wholesale Price Index - Building & Construction (Capital Goods) published by the Central Statistics Office or the cost of completing the outstanding works, whichever is the greater.

Where the developer proposes in writing to the Planning Authority to carry out the proposed development in phases, a reduced cash security will be computed by the Planning Authority proportionate to the development works required to make each phase viable. This cash security can be partially rolled from one phase to another depending on the Planning Authority's assessment of the works outstanding in each phase and where the storm water sewers, public lighting, roads, footpaths and open spaces, required to facilitate the houses constructed in that phase, have been completed to an appropriate standard. All relevant information to show compliance with the appropriate standards (e.g. Engineers Certification, CCTV of storm water sewers, RECI Certs etc.) should be submitted to the Planning Authority in advance of any request to roll the cash security from a particular phase to another phase of the development

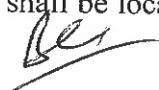
The return, of the cash security shall be subject to, inter alia, the report of an independent chartered engineer (with professional indemnity insurance) confirming that all materials and workmanship of the site infrastructure is in accordance with the plans and specifications submitted.

REASON: To ensure (a) the satisfactory completion of the site development works, (b) that the cash security is adequate to cover the cost of recuperative works, (c) that the cash security is index linked, in the interests of residential amenity and the proper management of roads and services.

Roads and Public Lighting

6. **Prior to commencement of development**, revised drawings showing the following shall be submitted to and agreed in writing with the Planning Authority and shall comply with the requirements of the Road Authority.

a) The stop bar at the site entrance shall be located to rear of the proposed footpath along the R755.



b) The width of the estate road should be reduced to 4.8m with a 1.2. pedestrian refuge strip provided on the south side.

REASON: In the interest of traffic and pedestrian safety.

7. The proposed roads and footpaths shall be constructed in accordance with specifications of Section 2 of "Recommendations for Site Development Works for Housing Areas" (Department of the Environment and Local Government 1998), subject to the following amendments/ submissions:

(a) All trees planted on grassed margins of roads or within 15m of the apex of all road junctions shall be of a variety which will be clean stemmed to a height of 2.1m above ground level at time of planting and when fully grown. These shall be mountain ash, whitebeam or hornbeam unless otherwise agreed in writing by the Planning Authority. Street trees shall be planted at not less than 10m centres.

(b) Roads shall be kerbed on both sides.

(c) **Before any development commences**, the results of CBR tests and the exact specification of the estate roads shall be submitted to and agreed acceptable in writing by the Planning Authority.

(d) The developer shall arrange to have the road construction materials tested at his own expense, at a reputable laboratory. The results of such testing shall be available for inspection if and when requested by the County Council.

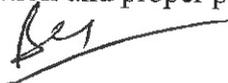
REASON: In order to ensure a satisfactory standard of development in the interests of amenity and traffic safety.

Services

8. (a) **Prior to commencement of development**, the written agreement of Irish Water shall be obtained for the provision of water services necessary to serve the proposed development.

(b) The granting of this permission by Wicklow County Council is in its role as a Planning Authority. It does not commit Wicklow County Council to the provision of any water services to serve the proposed development. Details of connections and the specification of materials to be used for the water services are a matter for Irish Water.

REASON: In the interests of clarification and proper planning and sustainable development.



9. Surface water drainage shall be collected via a separate storm water system and attenuated on site. The design shall satisfy the requirements of the Greater Dublin Strategic Drainage Study (GDSDS). On no account shall surface water run-off be allowed to discharge onto the public road, to the public foul sewer or adjoining properties.

REASON: To ensure satisfactory storm water drainage in the interest of proper planning and sustainable development.

10. (a) **Prior to commencement of development** full design details for the land drain on the southern boundary and associated outlets shall be submitted to and agreed in writing with the Planning Authority. The design shall be in accordance with the requirements of the Wicklow County Council Water and Environmental Services Section.
- (b) **Prior to commencement of development**, full design details of all necessary upgrades to the existing off site stormwater drainage network, to which it is proposed to connect the proposed land drain on the southern boundary, shall be submitted to and agreed in writing with the Planning Authority. The design shall be in accordance with the requirements of the Wicklow County Council Water and Environmental Services Section.
- (c) **No other development shall commence on site** until the works agreed under a) & b) above have been completed in full to the written satisfaction of the Wicklow County Council Water and Environmental Services Section.

REASON: To ensure the proposed land drain on the southern boundary is adequate to convey stormwater from the site, to ensure the receiving stormwater network is adequate to receive the stormwater runoff from the site and to ensure the proposed land drain can be easily maintained to prevent any onsite flooding and flooding of neighbouring properties.

11. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

REASON: In the interests of visual and residential amenity.

12. **Prior to commencement of development**, the public lighting design and layout, for the overall development including all roads infrastructure shall be submitted to and agreed in writing with the Planning Authority. The design and layout shall comply with the document Guidance for Public Lighting Works for Developers: Wicklow County Council: 2017 and the requirements of the Road Authority.

REASON: In the interest of residential amenity and proper construction.



Finishes/ Public/private open space

13. Prior to the commencement of development, a schedule of all external finishes to all dwellings, shall be submitted for the written agreement of the Planning Authority.

REASON: In the interests of visual amenity

14. The landscaping and tree planting shall accord with the Landscape Masterplan submitted on the 9th November 2020, and shall be carried out before or during the first planting season or part thereof occurring after the commencement of development. Any plants, which become seriously damaged, shall be replaced by others of similar size and species.

REASON: In order to assimilate development on this site into the surrounding area, in the interests of visual amenity and proper planning and sustainable development.

15. Rear curtilages of the dwellings (other than the boundary of the site where existing trees shall be retained) shall be screened by 2 m high fencing. Details of finishes to be agreed in writing by the Planning Authority prior to the commencement of development.

REASON: In the interests of residential amenity and privacy.

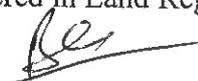
16. The boundary of the Public Open Space and the existing dwelling to the east shall be provided with timber fencing where there are gaps in the boundary planting. Details showing compliance with this condition shall be submitted to and agreed in writing by the Planning Authority prior to the commencement of development.

REASON: In the interest of residential amenity.

17. (a) The open space shall be landscaped in accordance with the Landscape Masterplan submitted on the 9th November 2020. .

(b) Open space areas shall be dedicated to the use of the residents. The maintenance of the open space shall be the responsibility of the developer until one year after the completion of all houses in the entire development and until the grassed areas and ground cover shrubs are firmly established. The developer shall enter into a licence in a form similar to that set out on the following page. The developer shall submit in triplicate the following

- i. Deed of dedication, signed and sealed,
- ii. O.S. map with open space outlined
- iii. Copy of scheme plan as registered in Land Registry with open space outlined



COUNTY WICKLOW

FOLIO _____

A grant dated the _____ day of _____ 20 .

A.B. the registered owner of the property described in Folio _____ of the County Wicklow hereby irrevocably grants to all the residents of _____ Estate, their heirs and assigns in respect of that portion of the Folio _____ County Wicklow where shown on the map annexed hereto and thereon outlined in red full right, liberty and permission at all times to use the said lands for recreational and amenity purposes, AND _____ hereby assents to the intent that the said right should be enforceable by any of the said residents, their heirs and assigns, the Local Authority or the Planning Authority for the area.

Signed, sealed and delivered by

In the presence of:-

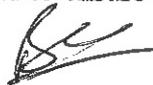
Dated :

REASON: To ensure that the amenity open space shall be left in a satisfactory and useful condition on completion of the development and will be available for amenity and recreational purposes to the residents of the estate.

Estate Naming/ As Completed Drawings

18. Proposals for an estate name, house/numbering scheme, shall be submitted to, and agreed in writing with, the Planning Authority **prior to commencement of development**. Thereafter, all estate and street signs, and unit 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 place names for new residential areas.



19. At the completion of the development, or each sector thereof, and prior to the taking in charge of the estate, as constructed drawings of the development, to the requirements of paragraph 1.9 of Recommendations for Site Development Works in Housing Areas (Department of the Environment and Local Government, 1998) at a scale of 1/500 or larger shall be supplied to the Council on computer diskette and shall be in a "DXF" format or other format agreeable to the Planning Authority and shall not be scanned images. They shall show the as constructed position of each site, house, road, watermain (including the location of sluice valves, scour valves, air valves and hydrants), foul and surface water sewers (including gullies, and invert levels of manholes to ordnance datum) and all pipe sizes and they shall show the Irish National Grid co-ordinates of the four corners of the drawing and shall be relative to the Irish National Grid.

REASON: In the interests of the proper management and maintenance of the roads and services.

