

SOUTH TIPPERARY COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACTS, 2000 TO 2010

PLANNING AND DEVELOPMENT REGULATIONS 2001 - 2012

**NOTIFICATION OF DECISION TO GRANT IN ACCORDANCE WITH
SECTION 34 OF THE 2000 ACT.**

Michael & Breda O'Neill
c/o Fewer Harrington & Partners
Studio 14, The Atrium
Maritana Gate
Canada Street
Waterford

Ref No. 12/337

Partner	Team Leader	Planner	Assistant
2 NOV 2012			

APPLICATION RECEIPT DATE: 07/09/2012 **FURTHER INFO RECD**

Having regard to:

- the nature and extent of the proposed development;
- the planning history of the site,
- the intended use of the proposed development,
- the policies of the South Tipperary County Development Plan 2009 - 2015 and
- the pattern of development in the area,

it is considered that, subject to compliance with the conditions set out in the attached Schedule, the proposed development;

- would not seriously injure the amenities of the area or of property in the vicinity;
- would not be prejudicial to public health;
- would be acceptable in terms of traffic safety and convenience;
- would not be unduly obtrusive on the landscape;
- would not detract from the character of the existing protected structure in the vicinity, including its setting; and
- would, therefore, be in accordance with the proper planning and sustainable development of the area.

In pursuance of the powers conferred upon it by the above-mentioned Acts, South Tipperary County Council has by Order dated 12th November 2012 decided to GRANT PERMISSION to the above named for development of land, as follows:-

4 no. serviced sites on lands together with all associated site development works to include vehicular and pedestrian access via the existing estate road which serves the adjoining Cois Coille estate, all underground services and all boundary treatments

At: Kilcash Clonmel Co. Tipperary

Subject to the 17 conditions and reasons therefore as set out in the schedule attached.

If there is no appeal against the said decision, a GRANT in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala (see appeal details overleaf).

IT SHOULD BE NOTED THAT UNTIL A GRANT OF PERMISSION OR PERMISSION CONSEQUENT ON THE GRANT OF AN OUTLINE PERMISSION HAS BEEN ISSUED, THE DEVELOPMENT OR RETENTION IN QUESTION IS NOT AUTHORISED.

Signed on behalf of South
Tipperary County Council 
County Secretary.

Dated:..... 12th November 2012

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1. Save where modified by the following conditions, the proposed development shall be completed in accordance with the drawings and documentation submitted with the planning application on the 07/09/12.

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

2. Prior to commencement of development the applicant/ developer shall lodge with the Planning Authority a bond of an insurance company, a cash deposit, 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, car parks, 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 security to be lodged shall be as follows:-
- (a) an approved insurance company bond in the sum of €20,000 (€5000 per unit (4 serviced sites x 5000) or
 - (b) a cash sum of €20,000 (€5000 per serviced site to be applied by the Planning Authority at its absolute discretion if such services are not provided to its satisfaction, or

The bond shall endure until completion of the development and until Conditions numbers 3 and 4 (3 and 4 below regarding supervision of works and submission of CCTV survey) have been complied with in full.

Reason: To ensure an adequate standard of development and maintenance for the benefit of residents and until such time as the development may be taken in charge by the Planning Authority.

3. The development works shall be adequately supervised by a Consulting Engineer, who shall, on completion of the works, issue a certificate as to the adequacy of the standard of the works.
- (a) The developer shall provide the Planning Authority with geo-referenced, as constructed, digital layout drawings of the development in disk format which shall contain the exact location of all structures, roads, footpaths, lamp standards, stopcocks, valves, hydrants, covers and frames (including description), pipe networks, gullies, street furniture, boundary details etc.
 - (b) When the overall development has been completed to such an extent as to render it capable of being taken in charge by the Planning Authority, the developer shall submit such certificate to the Planning Authority together with 2 No. sets of drawings setting out the development and the details thereof as constructed.

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Reason: In the interests of ensuring an adequate quality of construction and to facilitate future maintenance of the development.

4. The developer shall provide the Planning Authority with a CCTV survey and report on sewer condition on completion of the development. An independent, specialist contractor shall carry out the survey and shall issue a copy of the report directly to the Planning Authority.

Reason: In the interests of ensuring an adequate quality of construction and to facilitate future maintenance of the development

5. Finished floor levels shall accord with the submitted details. A conveniently located Temporary Bench Mark shall be provided to facilitate checking of floor levels, details of which shall be submitted to the Planning Authority prior to development commencing.

Reason: In the interests of orderly development and visual amenity.

6. Connection to the public water supply shall be carried out in a technically satisfactory manner to the requirements of South Tipperary County Council as Sanitary Authority. These requirements shall include payment of the appropriate connection fees in addition to the development contributions specified liable by the dwellings. The area engineer shall be notified prior to connection to water mains and sewers on the public roadway.

Reason: In the interests of clarity and orderly development.

7. All infrastructural works including water mains and foul and storm water sewers must conform to the requirements of the following publications:
- (a) Greater Dublin Strategic Drainage Study (GDSDS) - 2005
 - (b) Dublin City Council's "Greater Dublin Regional Code of Practice for Drainage Works V6.0"
 - (c) Department of Environment & Local Government's "Recommendations for site Development Works for Housing Areas", November 1998
 - (d) "Sewers for adoption- A Design and Construction guide for Developers" 6th Edition as published by Water UK.

Where conflicts arise between the above publications, clarification should be sought from the Water Services Section of South Tipperary County Council.

Reason: In the interest of public health and traffic safety.

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8. (a) Development of houses on the 4 separate serviced sites proposed shall require full planning permission. Development Contributions will be levied on the dwellings when an application is received (any prospective purchaser of the individual sites shall be advised accordingly in the sale agreement and of the requirements of the submitted design brief).
(b) No application shall be submitted for the development of any serviced site until agreement is reached with the Planning Authority on the co-ordinated development of all 4 sites in accordance with a phasing plan for all services and infrastructure.

Reason: In the interest of orderly development.

9. (a) Prior to commencement of development the developer shall submit details showing proposals for the provision of an appropriate level of broadband service infrastructure on an open access basis to each unit within the development, for approval of the Planning Authority. Realizable options showing the feasibility for connection of the units within the development to an exterior broadband service provider(s) shall be included and demonstrated in the proposals.
(b) Ducting and chambers for such service shall be installed concurrent with the initial construction and infrastructure installation within the development. The Duct shall be uPVC with minimum diameter of 50mm and green in colour. Any land and way-leaves required for above and/or below ground infrastructure within the development shall be made available for such apparatus. All of the above proposals shall be in accordance with the requirements of the Department of Communications Marine and Natural Resources.

Reason: To facilitate the connection of Broadband Service to the development.

10. (a) The access road, the turning areas at cul-de-sac ends, and footpaths shall be designed and constructed to the standards laid down in the Department of the Environment and Local Government's "Recommendations for Site Development Works for Housing Areas", as published in November 1998.
(b) Ramped / drop curb access points shall be provided on the footpaths at the junction between site access and public roadway to the satisfaction of the Area Engineer.

Reason: In the interest of traffic safety.

11. Prior to the commencement of the development and prior to sale/occupations of the dwelling houses the developer shall submit to the Planning Authority for its consent a nomenclature for the development and a numbering system for identification of each house within the development. A sign or namestone indicating the name of the housing development shall be provided and located in a prominent position agreed by the Planning Authority.

Reason: In the interest of orderly development, for easy identification and to facilitate fire brigade and other personnel servicing the site

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12. All service cables associated with the proposed development (i.e. electrical, telephone, communal television and street lighting cables) shall be run in underground ducts. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

13. a) The developer shall ensure that all construction works on site are carried out in a manner such that noise and dust emissions do not result in significant impairment of, or significant interference with, amenities or the environment beyond the site boundary.
b) No construction or demolition activity giving rise to noise audible from the nearest habitable dwelling shall be carried out on Sundays or Bank Holidays.
c) From Monday to Friday, inclusive, all construction and demolition activity giving rise to noise audible from the nearest habitable dwelling shall be restricted to the hours between 8.00a.m. and 7.00p.m. (inclusive) and to the hours between 8.00a.m. and 3.00pm (inclusive) on Saturdays.

Reason: To prevent noise nuisance in the interest of residential amenity.

14. The developer shall maximise the reuse of surplus excavated material on site. Any surplus excavated material or construction & demolition wastes to be disposed off site, shall be disposed of solely to an authorised location. (A Waste Licence or Permit may be required under the Waste Management Act 1996 depending on the quantity involved). Prior to the disposal of any surplus material the developer shall submit to the Planning Authority details of a Waste Management Plan pertaining to the proposed development and shall obtain the prior written consent of the Planning Authority thereto. The details to be submitted shall include, as a minimum, the following:

- full particulars in relation to the disposal of any inert material (topsoil, subsoil, etc. from the site);
- management of all waste material generated by the proposed development while under demolition & construction; and
- arrangements in relation to site landscaping and restoration.

Reason: In the interest of orderly development and of environmental management to ensure that such material is re-used in an environmentally sustainable manner.

15. During development works, the developer shall ensure that material from the site is not spread or deposited on the public roadway and shall maintain the roadway in a clean, tidy and safe condition. In addition, appropriate advance warning signs shall be erected, in accordance with proposals, which shall have the prior written consent of the Planning Authority.

Reason: To prevent any traffic hazard or nuisance from such material.

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16. In the event of any modifications being made to the lines of watermains or to the lines, levels, gradients, manhole positions of foul or storm water sewers, the developer shall submit to the Planning Authority the necessary revised drawings showing the layout of these services as actually constructed.

Reason: In the interest of the satisfactory completion and maintenance of the proposed development in an orderly manner.

17. a) A lighting scheme shall be provided for the agreement of the Planning Authority prior to development commencing. Same shall include locations of all lighting, mounted heights and details of illumination and intensity.
b) Suitable lighting standards with fully cut-off luminaires shall be provided in the parking areas, so placed as to avoid glare or hazard to users of the entrance driveway.
c) The overall developer shall be responsible for the operating and maintenance costs of the public lighting until such time as the overall housing estate development is taken in charge by the Planning Authority
d) Proposed lamp standard types shall be submitted for the agreement of the Planning authority prior to construction.

Reason: In the interests of road safety.