

Comhairle Contae Chill Dara  
Kildare County Council



Date: 09/11/2020  
Pl. Ref: 20/8

David and Sharon Staunton,  
C/o O'Loughlin Architects Ltd.,  
Redhills House,  
Kildare Town,  
Co. Kildare

Planning Register Number: 20/8  
Application Receipt Date: 09/01/2020

**PERMISSION** The construction of a detached two storey/single storey dwelling, detached single storey garage and home office, foul water to existing foul water sewer, surface water to soakaways, vehicular access from double recessed entrance, ancillary landscape planting, alterations to existing site levels, subdivision of existing site and all associated site works at a site AT to the rear of Dalemount, Dublin Road, Naas, Co. Kildare. IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.

In pursuance of the powers conferred upon them by the Planning & Development Act 2000 (as amended), Kildare County Council have by Order dated 06/10/2020 GRANTED PERMISSION to the above named, for the above development subject to 14 conditions set out in the attached schedule

Date: 09/11/2020

Signed:

Senior Executive Officer, Planning  
Kildare County Council.

NOTE: The permission herein granted shall, on the expiration of the period 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
- (2) In case such development is so commenced, so much thereof as is not completed within that period.

**Planning Permission is sought for the construction of a detached two storey/single storey dwelling, detached single storey garage and home office, foul water to existing foul water sewer, surface water to soakaways, vehicular access from double recessed entrance, ancillary landscape planting, alterations to existing site levels, subdivision of existing site and all associated site works at a site to the rear of Dalemount, Dublin Road, Naas, Co. Kildare – David & Sharon Staunton – 20/8**

**Schedule 1 – Considerations and Reasons on which this Decision is based as required by Article 31 of the Planning and Development Regulations 2001 (as amended).**

Having regard to the Kildare County Development Plan 2017 – 2023, the Naas Town Development Plan 2011- 2017, the nature, extent and design of the development, the character of adjoining development, it is considered that subject to compliance with the conditions attached, the development would not seriously injure the amenities of the area or of property in the vicinity and would therefore be in accordance with the proper planning and sustainable development of the area.

**Schedule 2: Conditions to apply.**

1. The development shall be carried out in accordance with documentation and particulars received by the Planning Authority on 09/01/20 and further information received on 14/09/20 except where altered or amended by conditions in this permission.

**Reason:** To enable the Planning Authority to check the proposed development when completed, by reference to approved particulars.

2. The design and external finish of the proposed development shall be consistent with details received by the Planning Authority on 14/09/20 unless otherwise agreed in writing with the Planning Authority prior to commencement of any development.

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

3. The overall site shall be used for domestic-related purposes only, and not for any commercial, workshop, or other non-domestic use.

**Reason:** In the interests of clarity and to regulate the use of the development in the interest of the proper planning and sustainable development of the area.

4. The garage/home office shall not be used for human habitation any commercial, workshop, other non-domestic use or for any other purpose other than a purpose incidental to the enjoyment of the dwelling on the site.

**Reason:** In the interests of residential amenity and to ensure proper development.

5. (a) Recessed entrance shall be part of a combined recessed entrance provided to site and shall be constructed generally in accordance with Drawing E/3639-2 copy attached and Site Layout Plan Drawing No PL 2382-01 received by the Planning Authority 14/09/20

(b) Where works to construct the entrance exposes any utility poles or utility access chambers the Applicant shall prior to the commencement of development, liaise with the relevant statutory body and arrange for required relocation works to be completed with the supervision of the relevant authority. Evidence of such liaison shall be submitted to the Planning Authority prior to commencement of the development. The cost of any such works shall be borne by the Applicant.

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

6. Lines of sight at the entrance to the site shall be provided *strictly* in accordance with The Department of Transport, Tourism and Sport D.M.U.R.S. document.

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

7. Site development works shall be confined to the hours of 07:00 to 18:00 Monday to Friday and 08:00 to 14:00 Saturdays. No site development works shall take place outside of these hours. Any alterations shall be subject to the prior written consent of the Planning Authority.

**Reason:** To protect the environment and amenity of the adjoining properties.

8. Where the Applicant proposes to connect to a public water/wastewater network operated by Irish Water, the Applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure, capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

**Reason:** To ensure proper servicing of the development.

9. The Applicant shall ensure that:

(a) Only clean uncontaminated surface water from the development shall be discharged to the surface water system. Only foul sewage and soiled water from the development shall be discharged to the foul system.

(b) All surface water shall be collected and disposed of to a rainwater harvesting, soakways designed to BRE Digest 365 or a surface water system designed and constructed in accordance with B.S. 8301:1985 and provided with inspection manhole covers.

(c) Existing land and roadside drainage shall not be impaired with and the proposed entrance layout shall be designed and constructed to ensure the uninterrupted flow of existing roadside drainage. The proposed entrance shall be drained to the surface water system, no surface water discharge shall be allowed to the public road.

**Reason:** To prevent interference with existing land or road drainage, to ensure proper servicing of the development and to avoid pollution.

10. All home heating oil tanks shall be sited within bunds capable of retaining 110% of the tank capacity (e.g. double skinned tank). The bund shall be rendered impervious to home heating oil. All inlets and outlets to the tank shall be contained within the bund. No pipework shall pass through the bund structure.

**Reason:** To ensure proper servicing of the development and to avoid pollution

11. (a) Waste produced during construction / demolition shall be segregated prior to recovery or disposal.

(b) Waste soil and topsoil shall be stored separately and away from other wastes.

(c) No mixing of construction waste with soil is permitted.

(d) No burying of waste or burning of waste is permitted.

(e) All non-inert waste shall be segregated where possible and removed from the site on an ongoing basis by a waste collector with a valid waste collection permit from the National Waste Collection Permit Office.

(f) Only clean waste soils are permitted to be sent to facilities with a waste facility permit for land reclamation or raising of land. Waste brick, block and concrete may only be accepted at the facility to provide for haul roads or hard standing areas.

**(g)** Contaminated soil or soil with non-inert waste mixed through is acceptable only at a landfill licensed by the Environmental Protection Agency and will be subject to landfill levy.

**Reason:** In the interest of public health, to avoid pollution, and to ensure proper development.

**12. (a)** No spoil, dirt, debris or other materials shall be deposited on the public road or footpath by machinery or vehicles traveling to or from the development site during construction phase.

**(b)** No building material or plant shall be used or stored on the public footpath or road without the prior consent of the Municipal District Engineer.

**Reason:** To ensure that the developer keeps the public areas adjacent the development in a suitably clean state of repair during construction works.

**13. (a)** The Developer shall engage the services of a suitably qualified Archaeologist to carry out an Archaeological Assessment of the development site. No sub surface work shall be undertaken in the absence of the archaeologist without his/her express consent. The Archaeological Assessment shall be submitted to the Department of Culture, Heritage and the Gaeltacht for their written agreement.

**(b)** The archaeologist shall notify the Department of Culture, Heritage and the Gaeltacht in writing at least four weeks prior to the commencement of site preparations, to allow sufficient time to obtain a licence to carry out the work.

**(c)** Upon completion of the work, the archaeologist shall submit a written report to the Department of Culture, Heritage and the Gaeltacht. Where archaeological material / features are shown to be present, preservation in situ, preservation by record or monitoring may be required by agreement with the Department of Culture, Heritage and the Gaeltacht

**Reason:** To ensure the protection of historical, cultural and architectural artefacts.

**14.** The Applicant/Developer to pay to Kildare County Council the sum of **€16,372.72** being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare County Council on 5<sup>th</sup> November 2015 in accordance with Section 48 of the Planning and Development Act 2000 as amended. Payments of contributions are strictly in accordance with Section 13 of Development Contribution Scheme adopted by Kildare County Council on 5<sup>th</sup> November 2015.

**Note:** Please note water and wastewater development contribution charges now form part of the water connection agreement, if applicable, with Irish Water.

**Reason:** It is considered reasonable that the developer should make a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

#### **ADVICE NOTE TO APPLICANTS**

All applicants are advised to make themselves aware of the requirements of the Building Control (Amendment) Regulations (S.I. No 9) 2014 which comes into effect on 1/3/2014 and the Construction Products Regulations (CPR) (Regulation (EU) no. 305/2011) which came into effect on 1/7/2013. Information leaflets can be viewed or downloaded on the council's website

<http://kildare.ie/CountyCouncil/Planning/BuildingControlDepartment/> or the Department of the Environment Community and Local Government website <http://www.environ.ie/en/>

