

Comhairle Contae Chill Dara
Kildare County Council



Date: 16/12/2019
Pl. Ref.: 19/852

REGISTERED POST

Quattur Ventures Ltd.,
c/o 2020 Architects,
49 Mainstreet,
Ballymoney,
Co. Antrim,
Northern Ireland

Notification of a decision under Section 34 of the Planning & Development Act 2000 (as amended)

Planning Register Number: 19/852
Application Received Date: 29/07/2019
Further Information Received Date: 21/11/2019

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kildare County Council have by Order dated 16/12/2019 decided to **GRANT** Permission consequent on grant of outline permission to the above named for the development of land in accordance with the documents submitted namely:- permission consequent on the grant of outline permission (Ref.No. of outline permission-18/617) for development consisting of: construction of a two storey dwelling and all associated site works at **Site 3, Walker Hall, Newtown Cross, Kildare Town, Co.Kildare** subject to **15 conditions** set out in the schedule attached.

The reason for the imposition of the said conditions are also included. The Planning Authority have had regard to any submissions or representations made on this file. If there is no appeal against the said decision a **grant of permission** in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála (see footnote). It should be noted that until a grant of permission has been issued the development in question is NOT AUTHORISED and work should not commence.

Date: 16/12/2019


Senior Executive Officer, Planning
Kildare County Council

PLEASE ARRANGE TO REMOVE SITE NOTICE

Any appeal against the decision of a Planning Authority under Section 37 of the Planning & Development Act 2000 as amended) may be made to An Bord Pleanála, 64 Marlborough Street, Dublin 1. First and third party objections must be received by the Bord within 4 weeks beginning on the day of making the decision by the Planning Authority. The appeal must be fully complete from the start - you are not permitted to submit any part of it later, even within the time limit.

Any appeal made within the statutory appeal period to An Bord Pleanála will be invalid unless accompanied by

- 1 Confirmation of submission to Planning Authority
- 2 The correct statutory fee, (Fees payable to the Bord on or after 5th September, 2011)
 - i. Appeal by 1st party relating to commercial development where the application included the retention of development - €4,500 or €9,000 if an EIAR or NIS involved.
 - ii. Appeal by 1st party relating to commercial development (no retention element in application) - €1,500 or €3,000 if an EIAR or NIS involved.
 - iii. Appeal by 1st party non-commercial development where the application included the retention of development - €660
 - iv. Appeal by 1st Party solely against contribution condition(s) – (2000 Act and amendments Section 48 or 49) - €220
 - v. Appeal following grant of leave to appeal
 - vi. An Appeal other than referred to in (i) to (v) above - €220

This guide does not purport to be a legal interpretation of the fees payable to the Bord. Please contact the Bord for further information.

Planning Permission consequent on the grant of outline permission (Ref.No. of outline permission-18/617) for development consisting of: construction of a two storey dwelling and all associated site works at Site 3, Walker Hall, Newtown Cross, Kildare Town, Co. Kildare – Quattuor Ventures Ltd. – 19/852

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 nature and design of the development and to the provisions of the Kildare County Development Plan 2017-2023, 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 be in accordance with the proper planning and sustainable development of the area.

Schedule 2 - Conditions

1. The development shall be carried out in accordance with documentation and particulars received by the Planning Authority on 29/07/2019 as amended by Further Information received on 21/11/2019, as 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. This permission permits the provision the dwelling house on Site No. 3 only and not to any other serviced site within the development permitted under 18/617.

Reason: In the interest of clarity and orderly development.

3. The external finishes shall be as indicated on documentation received by the Planning Authority on 21/11/2019. Where roof tiles or slates are proposed, they shall be blue/black or slate grey in colour. Orange or red colour roofing or materials shall not be used.

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

4. Existing hedgerows, trees and shrubs on the boundary of the site shall be retained, preserved and maintained. Boundary treatment shall be as indicated on the revised site layout plan received by the Planning Authority on 21/11/2019.

Reason: To protect the semi-rural character of the area and in the interest of residential amenity.

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

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

6. The attic space shall be used for storage purposes only and shall not be used for human habitation, or any other purpose without the benefit of planning permission.

Reason: In the interest of orderly development.

7. During construction the Developer shall provide adequate off carriageway parking facilities for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road.

Reason: In the interest of traffic safety.

8. 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 interest of the proper planning and development of the area.

9. The Applicant shall be responsible for the proper design, construction and maintenance of all surface water drains installed as part of the proposed development including soakways.

Reason: To ensure proper servicing of the development.

10. No spoil, dirt, debris or other materials shall be deposited on the public road, footpath or verge by machinery or vehicles travelling to or from the development site during construction phase.

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

11. 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.

12. 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.

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

13. Prior to the lodgement of a Commencement Notice within the meaning of Part II of the Building Control Regulations, 1997 the Applicant and any other person with an interest in the land to which this Permission relates shall enter into an Agreement with the Planning Authority providing for the matters referred to in Section 96(3)(a) or (b) of the Planning & Developments Act, 2000 (as amended).

This Agreement shall provide for the reservation of 10% (or such lesser percentage, if any, as may be provided for in the Planning Authority's Housing Strategy/Development Plan at the time of such Agreement) of the lands to which this Permission relates for the provision of housing of the

type referred to in Section 94(4)(a) of the Planning & Development Act 2000 (as amended) **UNLESS** an alternative arrangement as permitted by Section 96(3)(b) of the said Acts is agreed with the Planning Authority. Where any such alternative arrangement provides for the transfer of dwelling units to the Authority such units shall conform with the Department of the Environment, Community & Local Governments minimum design standards as set out in "Quality Housing for Sustainable Communities" and "Sustainable Urban Housing – Design Standards for New Apartment Guidelines for Planning Authorities" and any subsequent amendments applicable at the date of the Grant of Planning Permission and must have registered title at the time of transfer to Kildare County Council.

Reason: To comply with the requirements of Part V of the Planning & Development Act, 2000 (as amended) and the policies and objectives of the Kildare County Housing Strategy as contained within the Kildare County Development Plan 2017-2023

14. The applicant/developer to pay to Kildare County Council the sum of **€10,600.00** being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare County Council on 5th 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 5th 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.

15. No development shall be commenced until security has been given for the provision of and satisfactory completion of open space and of services and in accordance with the conditions herein contained and including maintenance until taken in charge by the Council of roads footpaths sewers watermains public lighting and similar type public facilities. This security is required by the Council for application at its absolute discretion if the foregoing are not duly provided as aforesaid and to the Council's satisfaction. Where the proposed development is carried out on staged or phased basis the security required will be proportionate to each part of the development which is carried out in the foregoing manner.

The security shall be given by: **(a)** lodgement with the Council of an approved Insurance Company Bond in the amount of **€6,000.00** or **(b)** lodgement with the Council of a sum of **€6,000.00** provided always and if the development has not commenced within one calendar year from the date of the grant of this Permission or is carried out on a phased or staged basis the Council may at its discretion require an increase in the amount of the foregoing Bond or lodgement corresponding with the increase or estimated increase in the cost of the provision and completion of the services above described and in the manner provided for and which may have occurred since the aforesaid date. The Bond shall be index linked.

Reason: To ensure that a ready sanction may be available to the Council towards the provision of services and to prevent disamenity in the development.

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/>