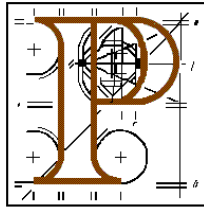


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Kildare County

Planning Register Reference Number: 14/962

An Bord Pleanála Reference Number: PL 09.244623

APPEAL by John Heffernan care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 18th day of February, 2015 by Kildare County Council to grant subject to conditions a permission to Ger and Claire Moore care of Ronan Sweeney of 42 Belmont Green, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The construction of a single storey extension to both sides, front and rear of an existing bungalow, incorporating existing detached garage into the dwelling to be used as a bedroom, alterations to existing elevations, construction of a new detached garage, installation of a new treatment system and percolation area and all ancillary site works, all at Grangebeg, Kildare, County Kildare.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the location, nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed 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.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 23rd day of January, 2015, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The entire premises shall be used as a single dwelling unit.

Reason: In the interest of clarity and orderly development.

3. The proposed garage/store shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.

Reason: In the interest of clarity and orderly development.

4. All the external finishes of the proposed development shall harmonise in colour and texture with the existing dwelling. The stonework shall consist of local natural stone.

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

5. The existing septic tank shall be decommissioned and its contents disposed of in an environmentally safe manner to the written satisfaction of the planning authority upon installation of the new effluent treatment unit.

Reason: In the interest of orderly development and to avoid pollution.

6.
 - (a) A proprietary effluent treatment and disposal system shall be provided. This shall be designed, constructed and maintained in accordance with the requirements of the planning authority. Details of the system to be used, and arrangements in relation to the ongoing maintenance of the system, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (b) Within three months of the installation of the system, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner.

Reason: In the interest of public health.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2015.