



An
Bord
Pleanála

Board Direction
BD-000955-18
ABP-301460-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on August 21st 2018.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the current Kildare County Development Plan, 2017-2023 and the Newbridge Area Local Area Plan, 2013-2019, and having regard to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, including modifications to the design and extent of the development, the proposed development would not seriously injure the residential amenities of adjoining property 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 further plans and particulars submitted to the Planning Authority on the 5th day of March,

2018, 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 proposed development shall be amended as follows:
 - (a) The proposed first floor en-suite shall be accommodated within the depth of the existing house. The roof of the extension shall not oversail the existing rear wall of the house and shall maintain the eaves and lines of the existing roof. The proposed high level windows in the oversailing en-suite shall be omitted and shall be replaced by a new window in the rear wall of the first floor extension.
 - (b) The overall external height of the proposed single storey extension shall be reduced so that it is a maximum of 3.51 metres.
 - (c) The proposed shed, associated rear 4 metre high garden boundary wall and the proposed courtyard and associated walls and window seat shall be omitted.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, or within or bounding the rear garden area, without a prior grant of planning permission.

Reason: In the interest of the amenities of the area, and to allow the planning authority to assess the impact of any such structures on the residential amenity of neighbouring properties through the statutory planning process.

5. The external finishes of the proposed extension, including roof tiles/slates of the proposed first floor extension, shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

6. 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 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.

Board Member

Date:

21st August 2018

Philip Jones