



An
Bord
Pleanála

Board Direction
ABP-302774-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/03/2019.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a question has arisen as to whether an existing attic conversion including any external alterations in relation to same and the nature of such use; an extension to rear and a domestic shed to rear at 18 Riverside Grove, Newbridge County Kildare is or is not development or is or is not exempted development:

AND WHEREAS Aine Mangan C/O Derek Whyte, Urban + Rural Design and Planning Consultancy, Great Connell, Newbridge, Co. Kildare, requested a declaration on this question from Kildare County Council on the 2nd day of May 2017:

AND WHEREAS the said Council referred this question to An Bord Pleanála, on the 15th day of October 2018.

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,

- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Classes 1 and 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site,
- (g) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (i) The attic conversion complies with Section 4(1)(h) of the Planning and development Act, 2000 (as amended),
- (ii) The single-storey extension to the rear is located within the curtilage of a dwelling and complies with the conditions and limitations set down under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations, 2001,
- (iii) The detached shed/garage to the rear is located within the curtilage of a dwelling and complies with the conditions and limitations set down under Schedule 2, Part 1, Class 3 of the Planning and Development Regulations, 2001,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (4) of the Planning and Development Act, 2000, as amended, hereby decides that (a) an existing attic conversion including any external alterations in relation to same and the nature of such use; and (b) extension to rear and (c) domestic shed to rear at 18 Riverside Grove is development and is exempted development.

Board Member:

Date: 01/03/2019

John Connolly