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**Board Direction**  
**BD-012625-23**  
**ABP-314383-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/06/2023.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below that the planning authority be directed, as follows:

Attach condition number 2 as attached by Kildare County Council:

2. (a) The first floor rear elevation windows shall be revised, the full length windows shall be omitted and shall be replaced with windows similar to those as permitted under 21/116 (drawing No SX/PLN-003). Revised drawings indicating same shall be submitted for the written approval of the Planning Authority within 6 weeks of the issuing of the final grant of permission.

(b) All first floor bathroom windows shall be permanently fitted with obscure glazing

(c) The flat roof of the sunroom shall not be used as a balcony area or open space area.

**Reason:** In the interest of the visual and residential amenity.

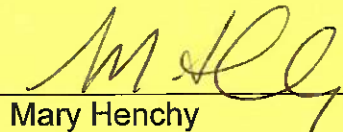
### **Reasons and Considerations**

The Board disagreed with the inspector and shared the opinion of the Local Authority that the windows should be similar to the windows permitted under 21/116 (received by the Local Authority 23<sup>rd</sup> March 2021). The Board considered that this condition

was appropriate in the interest of protecting the residential amenity of adjoining property.

In deciding not to accept the Inspectors report the Board shared the opinion of the Planning Authority that the permitted window would be more appropriate and in keeping with the objective in the Kildare County Development Plan, Section 3.8, Protecting existing residential amenity.

**Board Member:**

  
Mary Henchy

**Date:** 28/06/2023