



An
Bord
Pleanála

Board Direction
BD-014269-23
ABP-314430-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/10/2023.

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 Kildare County Development Plan, 2023-2029, including policy support for consolidation, infill and backland development as expressed through housing objective (HO) P6 and to the nature and scale of the proposed development which comprises the construction of a single storey, backland dwelling and taking into account the urban location of the site and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would be supported by planning policy and would not seriously injure the residential or visual 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.	<p>The proposed development shall comply with the plans and particulars lodged with the application submitted, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of the materials, colours, and textures of all the external finishes to the proposed dwelling shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>The dwelling shall be occupied as a single dwelling unit and shall not be subdivided or used for any commercial purposes.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>A new boundary wall shall be provided between the existing and proposed dwellings comprising a masonry wall to be capped and rendered on both sides. The wall shall be no higher than 1.2m at the front and side of the existing dwelling as far as the step back in the side façade at which point a 1.8 – 2m high wall shall be provided for the remainder of the boundary. A 1.8 - 2m high capped and rendered masonry wall shall be provided along the east and south boundaries.</p> <p>Reason: In the interest of residential amenity.</p>
5.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann and adhere to the standards and conditions set out in that agreement. All development</p>

	<p>shall be carried out in compliance with the Uisce Éireann standards, codes and practices.</p> <p>Reason: In the interest of public health.</p>
7.	<p>The entrance to site shall be part of a shared recessed entrance and shall be constructed generally in accordance with Drawing E/3639-2 copy attached and Site Layout Plan Drawing No A01 submitted to the Planning Authority with the planning application and the final details shall be in accordance with the requirements of the planning authority.</p> <p>Reason: In the interest of traffic safety.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 8am to 7pm Mondays to Fridays inclusive, between 8am to 2pm hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
9.	<p>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. 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 the Board to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000 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.</p>

Board Member

Patricia Calleary
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Date: 24/10/2023