



An
Bord
Pleanála

Board Direction
BD-016961-24
ABP-316601-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/07/2024.

The Board decided to grant retention 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 nature, scale, design and location of the development proposed to be retained and to the provisions of the Kildare County Development Plan 2023-2029, including Section 15.4.13 that sets out development management standards applicable to the development of a domestic garage/store, it is considered that the development proposed to be retained would generally be in accordance with the development management standards set out for the type of development, would not seriously injure the amenities of the area and would and would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, 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 structure hereby permitted shall be used for domestic purposes only and shall remain ancillary to the dwelling. It shall not be used for human habitation, for any commercial use or for the carrying out of any trade. The structure shall not be let or sold separately to the dwelling.

Reason: In the interests of clarity and to regulate the use of the development.

3. 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 developer shall also pay a financial contribution to the planning authority in respect of a shortfall of public open space. 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 for Kildare County Council 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

Patricia Callear

Patricia Callear

Date: 11/07/2024