



An
Bord
Pleanála

Board Direction
BD-017977-24
ABP-319838-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2024.

The Board decided, by way of split decision (2:1), to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

(Direction to issue with Order.)

Reasons and Considerations

Having regard to the Existing Residential zoning objective of the area under the Clane Local Area Plan 2017-2023, the policies of the Kildare County Development Plan 2023-2029 in terms of residential extensions, and, the design, layout and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in keeping with the pattern of development in the area, would not seriously injure the visual amenities or residential amenities of properties in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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: In the interest of clarity and development control.

3. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.

(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system or soakpits.

Reason: In the interest of public health.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

6. No part of the proposed development, including any fascia boards, gutters, drainpipes or other rainwater goods, shall overhang or encroach onto any neighbouring properties.

Reason: In the interest of the proper planning and sustainable development of the area.

7. 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



Tom Rabbette

Date: 24/10/2024