



An
Bord
Pleanála

Board Direction
BD-018806-25
ABP-320602-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/02/2025.

The Board decided, by majority 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 information submitted with the planning application and the appeal, and the nature and scale of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be in accordance with the zoning objective for the site and the policies with respect to residential extensions, as set out in the Kildare County Development Plan 2023-2029, would not seriously injure the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

Reason: In the interest of clarity.

2. No part of the development including fascia boards, gutters, drainpipes or other rainwater goods shall overhang or encroach onto the neighbouring property. Details with respect to the same, including construction drawings showing amendments to the roof to prevent overhanging, if required, shall be submitted to the planning authority for agreement prior to any amendments being made to the roof. Such works or measures shall be agreed within 3 months of the date of this order. Any such works agreed with the planning authority as required to prevent overhanging to the adjacent property shall be carried out within 6 months of the agreement with the planning authority

Reason: To prevent impact to the residential amenities of adjacent properties.

3. The attic shall not be used as a habitable space.

Reason: In the interests of clarity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. 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: 04/02/2025