



An
Coimisiún
Pleanála

Direction
CD-021797-26
ACP-323536-25

The submissions on this file and the Inspector's report were considered at a meeting held on 22/01/2026.

The Commission decided to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Eamonn James Kelly

Date: 23/01/2026

Eamonn James Kelly

DRAFT WORDING FOR ORDER

Reasons and Considerations

On the basis of the information submitted, the Commission is not satisfied that the proposed development, by virtue of its design and scale extending from the rear building line, would not give rise to significant overshadowing of the adjoining property to the north thereby injuring the residential amenity of that dwelling. The proposed development would not be in accordance with Section 15.4.12 of the Kildare County Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

1. The Commission did not concur with the Inspector's assessment in relation to overshadowing because (i) the shadow report submitted did not clearly set out a sufficiently detailed methodology and findings and (ii) the existence of significant planting between the appeal site and the adjoining property would not represent sufficient mitigation in the event of overshadowing arising from the proposed development itself.
2. The Commission considered that the Inspector's recommended reason for refusal constituted a new issue. Given the substantive reason for refusal, however, the Commission decided not to pursue the matter further at this time.