

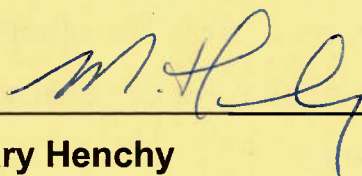
An
Coimisiún
Pleanála

Commission Direction
CD-000848
PL-501003-KE-26

The submissions on this file and the Inspector's report were considered at a meeting held on 23 June 2026.

The Commission decided to refuse permission generally in accordance with the following reasons and considerations.

Planning Commissioner:


Mary Henchy

Date:

9th day of July 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to Objective HO O6 of the Kildare County Development Plan 2023–2029, which is to ‘ensure a balance between the protection of existing

residential amenities, the established character of the area and the need to provide for sustainable residential development', and Chapter 15 Development Management and the requirements for a family flat, it is considered that the chalet proposed for retention constitutes a substandard form of residential development. The structure adversely impacts the residential amenity of the adjoining property to the north due to; its height, proximity to the boundary, and the presence of two windows directly overlooking that property's private open space. The development would therefore; materially contravene Objective HO O6 of the Kildare County Development Plan 2023-2029, set an undesirable precedent for similar substandard proposals, and would be contrary to the proper planning and sustainable development of the area.

Note: The Commission noted inconsistencies between the Planning Authority's planning history and that set out in the appeal submission. If it was not for the substantive reason for refusal the Commission may have requested further information on this matter.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission disagreed with the Inspector and shared the opinion of the Planning Authority that the proposed structure for retention materially contravenes objective HO 06, due to the proximity to the boundaries with adjoining property and the design of the structure and the impact this has on the amenity of adjoining properties, this is evident from the photographs submitted by the objectors to the application. For clarity, the Commission considered the amendments proposed in the appeal submission to the windows facing the boundary but considered the proposed alterations would diminish the residential amenity of the structure to be retained

Furthermore the Commission considered the structure for retention does not accord with section 15.4.14, family flat particularly with regard to relationship with the existing house and, the planning history for this site as set out in the local authority planners report which appears to differ to the history of the development as detailed in the appeal submission provided in support of the need for this family flat.