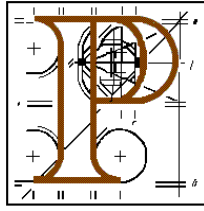


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/430

An Bord Pleanála Reference Number: PL 09.246264

APPEAL by Aidan and Sharon Maher and others of 49 Royal Meadows, Kilcock, County Kildare against the decision made on the 15th day of February, 2016 by Kildare County Council to grant subject to conditions a permission to Cornelius Walsh care of Michael Malone of 35 The Rise, Melrose Park, Swords, County Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The retention of existing structure as per previously approved (planning register reference number 08/1759) and permission for continuation to completion of revised and reduced construction of a two storey, two bedroom detached house with ancillary site works at 25 Aylmer Crescent, Kilcock, County Kildare.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the urban infill nature of the proposed site on lands zoned for residential purposes, the Board is satisfied that the proposed development would be in keeping with the existing character and pattern of development in the immediate area. The proposal would not seriously injure the existing residential amenities of the area, would be acceptable in terms of traffic safety and convenience, would provide an adequate standard of residential amenity, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 19th day of January, 2016, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The proposed half hipped roof shall be replaced by a full gable roof.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Development described in Classes 1 or 3, Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwellinghouses without a prior grant of planning permission.

Reason: In the interest of residential amenity.

5. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

7. The site shall be landscaped in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

8. 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.