



An
Bord
Pleanála

Board Order
PL 09.248571

Planning and Development Acts 2000 to 2017

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/234

Appeal by Mary and Deirdre Cullen and Eamon Mag Uidhir care of Paul Hogan Architects of Newtown House, Captain's Hill, Confey, Leixlip, County Kildare against the decision made on the 28th day of April, 2017 by Kildare County Council to refuse permission to the said Mary and Deirdre Cullen and Eamon Mag Uidhir for the proposed development.

Proposed Development: Change of use of existing two-storey building from residential to office use to include the demolition of the existing single storey annex between the two-storey building to Main Street and existing contemporary two-storey with gallery extension thereby creating a two-storey with gallery self-contained apartment to the rear. The proposed self-contained apartment and mews building to Back Lane, which are contemporaneous, are accessed by way of the existing archway on Back Lane. The development also consists of alterations to the rear of the building to Main Street, internal alterations, alterations to the proposed self-contained apartment and associated site works including the sub-division of the residential element and proposed office use. The site is located in an architectural conservation area in the Maynooth Development Plan 2013-2019. All at Main Street and Back Lane, Maynooth, 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 site's location in the town centre, the pattern of development in the immediate vicinity of the site and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would positively contribute to the overall vitality and vibrancy of the town centre 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, 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. The change of use of the building fronting onto Main Street is solely for office use.

Reason: In the interests of clarity.

2. The existing mews dwelling structure and the residential structure referred to in the drawings and correspondence as 'The Lofts' shall be considered as a single residential unit and neither structure shall be sold or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of 'The Lofts' residential unit as part of a single residential planning unit and in the interest of residential amenity.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, the placement of any sign or advertisement material on the front elevation shall be the subject of a separate application for permission to the planning authority.

Reason: To enable the planning authority to assess the impacts of any such signage on the amenities of the area.

4. 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.

