



An
Bord
Pleanála

Board Order
PL 09.248988

Planning and Development Acts 2000 to 2017

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/281

Appeal by Gerard and Julie Wall care of David Mulcahy of 67 The Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 7th day of July, 2017 by Kildare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Replacement of fire damaged dwelling to include the construction of a storey and a half dwelling with all ancillary site works, at 538 Roseglade, Straffan Road, Kill, County Kildare.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** condition number 2(a) so that it shall be as follows for the reason set out.

2. (a) The dwelling shall be set back so that it follows the building line of the front elevation of the existing house which is being replaced.

Reason: In the interest of the visual and residential amenities of the area.

Reasons and Considerations

Having regard to the existing fire damaged house on site and the relationship with the existing house to the south, it is considered that the proposed replacement house should follow the building line of the existing house on site, in order to protect the residential and visual amenities of adjacent properties, and in the interest of the proper planning and sustainable development of the area.

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.

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

Dated this day of 2017