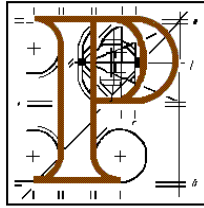


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Kildare County Council**

**Planning Register Reference Number: 17/945**

An Bord Pleanála Reference Number: ABP-300143-17

**APPEAL** by Michael Murphy of Serenevale, Barrowhouse, Athy, County Laois against the decision made on the 13<sup>th</sup> day of October, 2017 by Kildare County Council to refuse permission to the said Michael Murphy in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Change of use from retail unit to one bedroom apartment and all ancillary site development works at Dun Brinn, Ardrew, Athy, 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 location of the site within Athy, to the pattern of development in the area, and to the acceptable scale and design of the proposed change of use to a dwelling, it is considered that, subject to compliance with the conditions set out below, the proposed change of use would not seriously injure the residential amenities of the area or of property in the vicinity. The proposed development 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.

**Reason:** In the interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to a one bedroom residential dwelling, unless otherwise authorised by a prior grant of planning permission.

**Reason:** To protect the amenities of property in the vicinity.

3. 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.

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

**Dated this            day of            2018.**