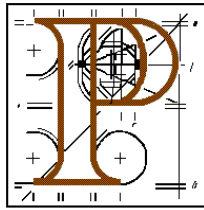


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

## Kildare County Council

**Planning Register Reference Number: 17/1140**

An Bord Pleanála Reference Number: ABP-300482-17

**Appeal** by Fiona Lyons of 9 The Road, Walshestown Park, Newbridge, County Kildare against the decision made on the 5<sup>th</sup> day of December, 2017 by Kildare County Council to refuse permission for the proposed development.

**Proposed Development:** Extensions and alterations to existing bungalow to include (a) new roof over existing bungalow to include amended roof pitch and gabling, (b) new gable feature to front elevation complete with modifications to all front windows, (c) relocation of main entrance hall and front door, (d) modifications to all rear windows, internal modifications and new external finishes to existing bungalow, (e) storey and a half domestic extension to side and rear of existing bungalow and (f) connection to mains sewer, site entrance, landscaping and all associated site development works at Green Road, Newbridge, 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:

- (a) the provisions of the Kildare County Development Plan 2017-2023,
- (b) the nature, scale and orientation of the development proposed,
- (c) the size of the overall site, and
- (c) the mixed pattern of development in the area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the development plan for the area and would not seriously injure the residential or visual amenities of the area. 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. The 'pergola' mentioned in text on drawings is not shown and, therefore, does not form part of this permission.

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

2. Details of the materials, colours and textures of all the external finishes to the proposed extension and modifications to the 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.

3. The windows on the western elevation at first floor shall be glazed with obscure glass.

**Reason:** To prevent overlooking of adjoining residential property.

4. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

5. 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.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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            2018**