



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/875

APPEAL by Thoval Properties Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 31st day of January, 2018 by Kildare County Council to refuse permission.

Proposed Development: Development comprising nine number three-bedroom dwellings consisting of one number detached dormer bungalow and eight number semi-detached dormer bungalows as an extension to a previously granted residential development (planning register reference number 16/955) and all associated site works including upgrade of existing vehicular access point on New Link Road at Temple Mills, Yellowlough Cross, Sheean, Rathangan, County Kildare (as amended by the revised public notice received by the planning authority on the 4th day of January, 2018).

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

1. Having regard to the character of the surrounding area, including the established residential dwelling to the east, it is considered that to permit the proposed development, which provides for dwellings closely overlooking the private curtilage of the existing dwelling, would seriously injure the residential amenity of occupiers of the existing dwelling, by virtue of overlooking, visual Impact and incongruous development, would set an undesirable precedent for similar type development and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proposed layout and lack of active frontage to public road network, it is considered that the proposed development, which is described as an extension to a previously permitted residential development, fails to adequately integrate with the permitted scheme and would represent an unacceptable impact on the residential amenity of adjacent occupiers by virtue of visual impact and overlooking, would seriously injure the residential amenity of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board concurred with the views of the planning authority and considered that the proposed layout did not appropriately integrate with the permitted scheme to the north, nor with the established residential dwelling to the east.

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

Dated this day of 2018.