



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/1371

Appeal by Lauri Ardiff and Mairead Ardiff care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 22nd day of August, 2018 by Kildare County Council to grant subject to conditions a permission to Philip Blake care of Fitzgibbon McGinley Architects Limited of First Floor, Unit W1G, Ladytown Business Park, Naas, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of (i) the ground floor of the existing western premises (currently Ryevale Medical Practice) into a two-bedroom ground floor apartment, together with (ii) the first floor of the same premises into a one-bedroom first floor apartment and (iii) the first floor eastern adjoining premises (currently unoccupied) into a one-bedroom first floor apartment. The development will also consist of the removal and replacement with new flat roofs of the existing flat roofs/lean-to roofs of the rear extensions to provide increased room heights and to remove parts of the existing derelict outbuildings to the rear of the site to provide shared open space and bin storage, together with all associated site works, as amended by the further public notice received by the planning authority on the 27th day of July, 2018 as follows: the restoration of the existing outbuilding to the rear for use as ancillary storage through making good existing stone walls, the replacement

of roof structure and the provision of new internal partition walls to the aforementioned outbuilding and the restoration of original shop frontage at ground floor level.

Pound Street, Leixlip, 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 on town centre zoned lands in the current Leixlip Local Area Plan 2017-2023, to the nature, design and limited scale of the proposed development and to the pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character of the area or the Architectural Conservation Area within which the site is located, would be compatible with the established mix of uses in the vicinity of the site, would help to satisfactorily maintain the vitality and viability 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, as amended by the further plans and particulars submitted to the planning authority on the 11th day of July, 2018, 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. Water supply and drainage arrangements, including the attenuation and 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.

3. Details of the proposed arrangements for the removal of the existing 'Polish Shop' shop front and the re-instatement of the previous shop front beneath shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. These agreed works shall be completed prior to the occupation of the proposed apartment units.

Reason: In the interest of visual amenity.

4. No signage, advertising structures/advertisements or other projecting elements, other than those permitted in compliance with the requirements of condition number 3 above, shall be erected on site or attached to the premises without a prior grant of planning permission.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Dave Walsh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.