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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 18/332**

**Appeal** by Ashley McDermott of Kennycourt Stud, Brannockstown, Naas, County Kildare against the decision made on the 22<sup>nd</sup> day of January, 2019 by Kildare County Council to grant subject to conditions a permission to Brannockstown Farms Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The removal of part of the existing boundary fence to the local road (L6060) and the construction of new set-back entrance and gate for agricultural use including all site development works above and below ground. The works proposed are located within the curtilage of a Protected Structure, Kennycourt House (Reference B29-47). This application does not propose works to Kennycourt House. All at Kennycourt, Brannockstown, County Kildare. Further public notices were received by the planning authority on the 17<sup>th</sup> day of December, 2018 which included: the relocation of the proposed entrance gate and amended red line boundary.

## **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 nature, scale and use of the proposed entrance, the road type, speed limit and existing geometry at the subject site and the proposed signage and road markings, it is considered that, subject to compliance with the conditions set out below, the proposed development, which is for agricultural use only, would be acceptable in terms of traffic safety and convenience 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 on the 23<sup>rd</sup> day of November, 2018 and the 17<sup>th</sup> day of December, 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. The proposed entrance shall be for agricultural use only.

**Reason:** In the interests of traffic safety and orderly development.

3. Details of the finishes to the proposed splay entrance shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. The developer shall facilitate the planning authority in providing the proposed signage and road markings in accordance with the requirements of the planning authority. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of traffic safety.

5. 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 and to ensure a proper standard of development.

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

**Dated this            day of            2019.**