



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/82

Appeal by Frank Reynolds care of Derek Whyte of Great Connell, Newbridge, County Kildare against the decision made on the 9th day of May, 2019 by Kildare County Council to grant subject to conditions a permission to William Ward care of D.C. Turley and Associates of 2 The Crescent, Piper's Hill, Naas, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of house design for the 2.5 storey, detached house of circa 155 square metres granted under planning register reference number 16/254, to a 2.5 storey, detached house of circa 261 square metres, with the inclusion of a single-storey, flat-roof extension to the rear and all ancillary site works at 78 Willouise, Sallins, 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 zoning objective pertaining to the site as set out in the Sallins Local Area Plan 2016-2022 and the Kildare County Development Plan 2017-2023, to the planning history on the lands and to the prevailing character and form of established and permitted development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would form an acceptable development on the site, would not seriously injure the visual amenities of the area or the amenities of property in the vicinity, would comply with the policies and objectives of the Kildare County Development Plan and Sallins Local Area Plan, and would be acceptable in terms of pedestrian and traffic safety. 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, as amended by the further plans and particulars submitted on the 18th day of April, 2019, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 4th day of October, 2016 under planning register reference number 16/254 and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The dwellinghouse shall be constructed and completed using the same palette of materials, colours and textiles as the permitted adjoining dwellings within the housing scheme, unless otherwise agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting 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 the 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.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.