



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/1230

Application for Leave to Appeal against the decision of the planning authority by Paul Woods of Wolfestown, Eadestown, Naas, County Kildare, having an interest in land adjoining the land in respect of which Kildare County Council decided on the 4th day of June, 2020 to grant subject to conditions a permission to Hudson Brothers Limited care of Golder Associates Ireland Limited of Town Centre House, Dublin Road, Naas, County Kildare.

Proposed Development: Retention of a single storey truck and plant maintenance shed of circa 432 square metres gross floor area that includes staff welfare facilities of a shower and W.C.; an underbody truck wash located on the concrete apron surrounding the shed; proprietary wastewater treatment system; interceptor; soakaway; and all ancillary works at Redbog, County Kildare. The proposed development was revised by further public notices received by the planning authority on the 24th day of March, 2020 which included information in relation to a new water purification system to welfare facilities.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition numbered 3 imposed by the planning authority to which the grant is subject, and

- (ii) the imposition of condition numbered 3 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.