

Planning and Development Acts 2000 to 2020

Planning Authority: Kildare County Council

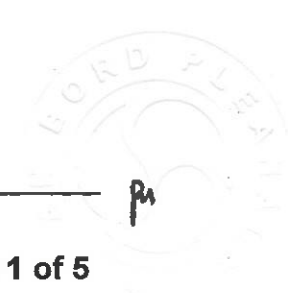
Planning Register Reference Number: 20/1557

Appeal by Justin and Anne-Marie Molloy of 17 The Court, Oldtown Mill, Celbridge, County Kildare against the decision made on the 15th day of February, 2021 by Kildare County Council to grant subject to conditions a permission to Jimmy and Noeleen Walsh care of AKM Design of Unit 4, Orchard Business Centre, 2009 Orchard Drive, Citywest Business Campus, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Removal of existing sunroom to existing house and construction of single storey detached three bed dwelling, new boundary walls, vehicular entrance and car parking for new dwelling and widening of existing entrance to the existing dwelling and all associated site works, at 4 The Close, Oldtown Mill, Celbridge, 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 provisions of the Kildare County Development Plan 2017-2023, the Celbridge Local Area Plan 2017-2023, the existing pattern of development in the area, and the nature and scale of the proposed single storey dwelling, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. 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, 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. This permission is for one residential unit only.

Reason: In the interest of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and boundary treatments shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development.

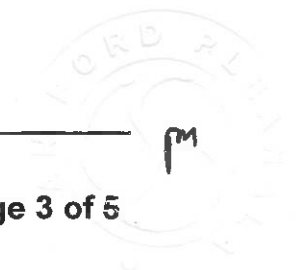
Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the attenuation of 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 and surface water management.

5. The developer shall enter into water and waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.



6. The numbering/naming of the dwelling unit shall be agreed with the planning authority in writing prior to commencement of development.

Reason: In the interest of orderly development.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 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.

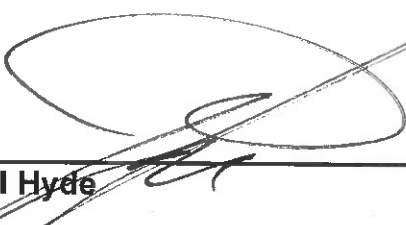
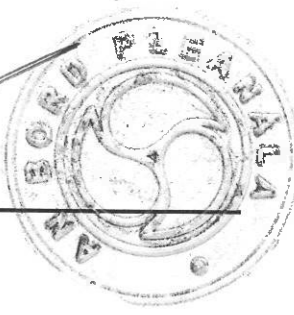
Reason: In order to safeguard the residential amenities of property in the vicinity.

8. The site development and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

9. 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 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.



Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 15th day of June 2021.