

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 21/429

Appeal by Tom Morrin of Donore, Naas, County Kildare against the decision made on the 10th day of August, 2021 by Kildare County Council to grant subject to conditions a permission to Adrian Fox care of MK Architecture and Building Surveying Limited of 22 Upper Patrick Street, County Kilkenny in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission to retain; extensions/alterations to existing two-storey dwelling and also a detached storage shed, including all associated site works at Donore, Caragh, Naas, 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.



Reasons and Considerations

Having regard to the planning history, the characteristics of the site and surrounding area, and to the overall design of the shed and extensions to the existing dwelling, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the visual or residential amenity of the area or of property in vicinity. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 16th day of July 2021, 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.

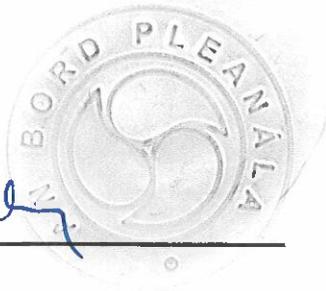
2. The shed shall be used for purposes of residential use connected with the main dwelling.

Reason: To protect residential amenity.



3. 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.



John Connolly

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

Dated this 5th day of MAY 2022