

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 21/1298

Appeal by John and Marie Healy of 1 The Drive, Moyglare Hall, Maynooth, County Kildare against the decision made on the 26th day of October, 2021 by Kildare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Single storey side extension to the north elevation of existing dwelling at 1 The Drive, Moyglare Hall, Maynooth, County Kildare.

Decision

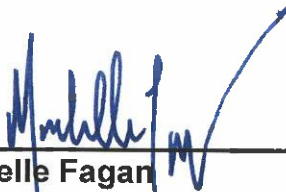
Having regard to the nature of the condition number 2, the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reasons therefor.

Reasons and Considerations

Having regard to the residential land use zoning for the site, and to the pattern and character of development in the area, to the detached nature of the property and the location of the proposed extension behind the front building line with gated access, it is considered that the proposed door, by reason of its nature, design, and function, would not detract from the character of the existing dwelling or the visual amenities of the area, and would not detract from the residential amenity of the existing dwelling or adjoining properties. The planning authority's condition number 2 requiring the omission of the door and its replacement with a window, therefore, is not warranted.

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.



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



Dated this 8th day of January 2022