



An
Bord
Pleanála

Board Order
ABP-312208-21

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 21/1378

Appeal by Amy Coyle care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 19th day of November, 2021 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: Single storey ground floor side extension and all associated site development works. The development to be retained consists of an attic conversion with two number dormer rooflights to the rear and elevational amendments made to the previously granted permission planning register reference number 17/315, all at Hortland, Donadea, County Kildare.

Decision

GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the design and scale of the elements proposed to be retained and the proposed development (extension), it is considered that, subject to compliance with the conditions set out below, the development would not have a significant or prominent visual impact in the surrounding area and would be acceptable in the context of the objectives of the Kildare County Development Plan 2017-2023, including policy in relation to residential extensions under Section 17.4.8, the Rural Design policy under Chapter 6 and Landscape Character, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 15th day of December, 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 and the development shall be carried out and retained in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be retained and completed in accordance with the conditions of the permission granted under planning register reference number 17/315.

Reason: In the interest of clarity.

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.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 14th day of November 2022.