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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kildare County Council**

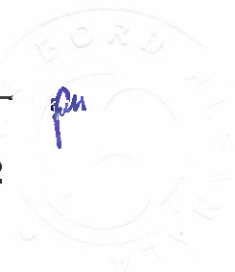
**Planning Register Reference Number: 20/1483**

**Application for Leave to Appeal** against the decision of the planning authority by Jeanne Kennedy of 2 The Grove, Brownstown Lower, The Curragh, County Kildare, having an interest in land adjoining the land in respect of which Kildare County Council decided on the 8<sup>th</sup> day of December, 2021 to grant subject to conditions a permission to The Adroit Company Limited care of Daly Hudson Limited of 22 Fairgreen, Dunmurray Road, Kildare Town, County Kildare.

**Proposed Development:** Construction of four number two-storey semi-detached dwellings with associated landscaping, car parking, vehicular access, connection to existing services and all ancillary works at Brownstown Lower, The Curragh, County Kildare as amended by the revised public notices received by the planning authority on the 19<sup>th</sup> day of November, 2021 as follows: 1. Revised site layout, 2. Change of number of dwelling units on site from four units to 2 units.

**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 -

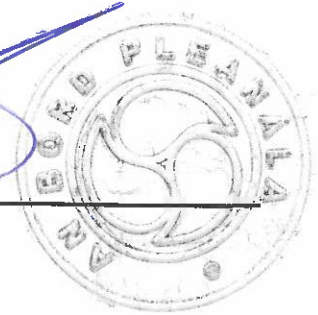
- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 14 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 14 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.

  
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**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**



Dated this 2<sup>nd</sup> day of FEBRUARY 2022