

An
Bord
Pleanála

Board Order ABP-314383-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/468

Appeal by Sid Xhezaj care of Whyte Planning Consultants Limited of Great Connell, Newbridge, County Kildare against the decision made on the 22nd day of July, 2022 by Kildare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for existing one and half storey detached house as constructed, single storey domestic garage as constructed and all associated site works at Site 10, Walker Hall, Newtown Cross, Kildare Town, County Kildare.

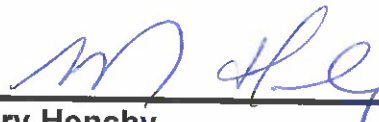
Decision

Having regard to the nature of the condition 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 ATTACH condition number 2(a) and the reason therefor.

Reasons and Considerations

The Board disagreed with the Inspector and shared the opinion of the planning authority that the windows should be similar to the windows permitted under planning register reference number 21/116. The Board considered that this condition was appropriate in the interest of protecting the residential amenities of adjoining properties.

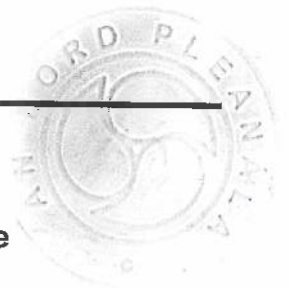
In deciding not to accept the Inspectors report, the Board shared the opinion of the planning authority that the permitted window would be more appropriate and in keeping with the objective of Section 3.8, Protecting Existing Residential Amenity of the Kildare County Development Plan 2023-2029.



Mary Henchy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**



Dated this 10 day of

July

2023

