

An
Bord
Pleanála

Board Order
ABP-315014-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/746

Appeal by Paul and Rose Soden care of Collins Maher Martin Architects of Dodder Park Road, Rathfarnham, Dublin against the decision made on the 7th day of October, 2022 by Kildare County Council to grant subject to conditions a permission to Jean and Graham McAuley care of Patrycja Rogala of Woodbine, Owendore Avenue, Rathfarnham, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the rear single storey extension, new two-storey extension to the front consisting of new porch and staircase, new two-storey extension to the side, and new partially two-storey, partially single storey extension to the rear, Velux windows to the front rear and side of the main roof, alteration to the front façade, some internal alterations, and associated site works, all at Sorrento, Green Lane, Leixlip, 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 provisions of the Kildare County Development Plan 2023-2029, including the zoning objective for the site which seeks to enhance the current residential amenity and promote sustainable intensification, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would provide an acceptable standard of amenity for future residents, and would not, by reason of overlooking, lead to loss of privacy in neighbouring properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 28th day of September, 2022, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.



3. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

4. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. 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 the 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 the Board 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.



Liam Bergin

Member of An Bord Pleanála

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

Dated this 30 day of August 2023.