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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 22/992**

**Appeal** by Kevin and Fiona Byrne of 12 Cill Dara Close, Celbridge, County Kildare against the decision made on the 5<sup>th</sup> day of December, 2022 by Kildare County Council to grant subject to conditions a permission to Jayne and David Clarke care of Devanney Williams Architects of Stream House, Main House, Celbridge, County Kildare in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of the existing lean-to single storey extended kitchen area to the rear, to be replaced with the construction of a new two-storey extension to the rear and all associated site works at 13 Cill Dara Close, Celbridge, 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 site location in an established suburban area, and to the established pattern and character of development in the vicinity, it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity or the visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The 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 submitted on the 16<sup>th</sup> day of November, 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The length of the proposed extension at first floor level, beyond the main rear building line of the existing dwelling, shall be reduced by one metre and shall not exceed 3.5 metres. Revised drawings, showing compliance with the condition, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the protection of residential amenities of adjoining properties and the amenities of the area.

3. Prior to commencement of development, the developer shall enter into water/wastewater connection agreements with Uisce Éireann (formerly Irish Water).

**Reason:** In the interest of public health.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.


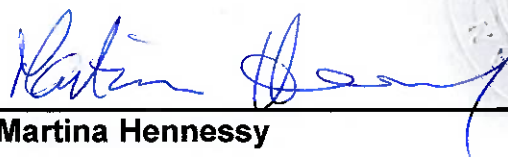
**Reason:** In the interest of public health and surface water management.

5. Details of all external finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

6. 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.



**Martina Hennessy**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 16<sup>th</sup> day of January 2024.