

An
Bord
Pleanála

Board Order
ABP-315874-23

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/1452

Appeal by Michael Gowran care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 27th day of January, 2023 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: Change of use of part of the permitted agricultural shed (planning register reference number 20/889) from agricultural storage to a home office and agricultural and domestic storage. Retention permission is also being sought for alterations to the development permitted under planning register reference number 20/889 including the addition of windows and doors to the southern, eastern and western elevations and the addition of a chimney flue on the northern elevation all at Ballyhays, Straffan, 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, to the character of existing development in the vicinity and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development as proposed would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained/carried out and completed in accordance with the plans and particulars lodged with the application, 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 retained/carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The elements to be retained/carried out shall only include those that are specifically marked within the redline boundaries of elements so marked on drawing number 01 OF 03 received by the planning authority at application stage, and for the avoidance of doubt shall not include the following that are shown within the redline and/or the existing structure:

P. C.

1. Kitchen units /cabinets
2. Toilet
3. Sloped roof structure that appears to run along the length of the building (shown on front elevation and section drawings and not shown on the floor plans of drawing number 01 OF 03)

Revised drawings to reflect these requirements/modifications shall be submitted to and agreed in writing with the planning authority within two months of the date of this Order.

Reason: In the interest of clarity in respect of items 1 to 3 set out above, and noting the absence of details on how it is proposed to safely treat effluent that would be generated arising from the WC in respect of Item 2 above.

3. The structure hereby permitted shall be used solely for use incidental to the enjoyment of the main dwelling and shall not be sold, rented or leased independently of the main dwelling and shall not be used for the carrying on of any trade, business or commercial/industrial activity. The structure shall not be used for the purposes of independent habitation.

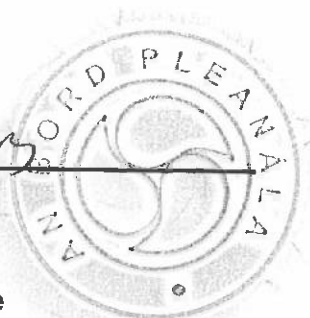
Reason: In the interest of clarity.



Patricia Calleary

Member of An Bord Pleanála

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



Dated this *26* day of *June* 2023.