

An  
Bord  
Pleanála

## Board Order ABP-315988-23

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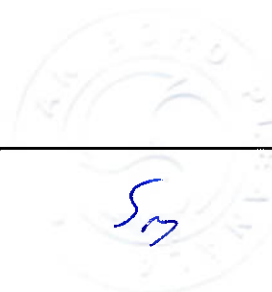
**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 22/1483**

**Appeal** by Joe Mulligan of 17 Station Road, Leixlip, County Kildare against the decision made on the 14<sup>th</sup> day of February, 2023 by Kildare County Council to grant subject to conditions a permission to Mulberry Properties Limited care of Eamonn Daly Architects of 18 Elmpark Avenue, Ranelagh, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Amendments to previously approved planning permission planning register reference number 21/655. The development consists of one number additional storey to Apartment Blocks 1 and 2, increasing their heights from three-storey to four-storey. This will provide nine number additional units, consisting of two number additional one-bed units and three number additional two-bed units in Apartment Block 1 and two number additional one-bed units and two number additional two-bed units in Apartment Block 2, all at The Paddocks, Station Road, 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 nature, scale and design of the proposed development, its location within the zoning objective B (Existing Residential and Infill) in the current Leixlip Local Area Plan, its relationship to existing and permitted development on the site and in the vicinity of the site, and its location on and in proximity to high-capacity public transport infrastructure, 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 the amenities of property in the vicinity, and 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, 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 external finishes of the proposed development 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 visual amenity.

3. Within two months of the date of this Order, the developer shall submit to, and agree in writing with, the planning authority a revised parking scheme with accompanying drawings in relation to the provision of car club spaces to support reduced car ownership, and that the car club spaces be fully equipped with EV charging points.

**Reason:** In the interest of orderly development.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 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.

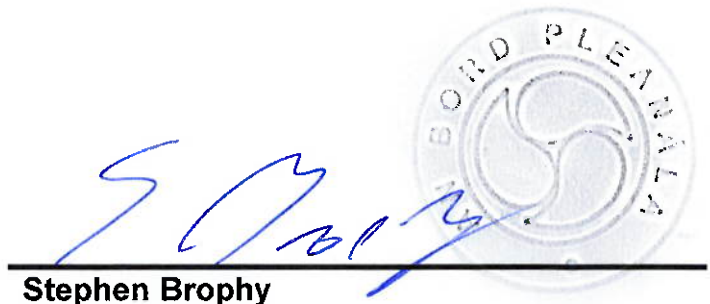
5. Within two months of the date of this order, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

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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 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 An Bord Pleanála 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.

A handwritten signature in blue ink is written over a circular seal. The seal contains the text 'AN BORD PLEANÁLA' around the perimeter and a stylized logo in the center. The signature is written in a cursive style.

**Stephen Brophy**

**Member of An Bord Pleanála**

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

Dated this 8<sup>th</sup> day of April 2024.