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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 22/1479**

**APPEAL** by Vicky and Alan Williams of 7 Beatty Park, Celbridge, County Kildare against the decision made on the 8<sup>th</sup> day of March, 2023 by Kildare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Two-storey flat roof extension to the side and rear of the existing dwelling to include new living/dining area, utility, W.C., bathroom, bedroom, walk-in wardrobe, en suite, internal alterations and all associated site works, all at 7 Beatty Park, Celbridge, 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, as amended, to **AMEND** condition number 2 so that it shall be as follows for the reason set out.

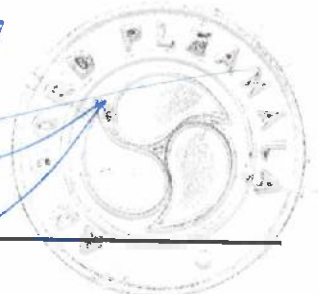
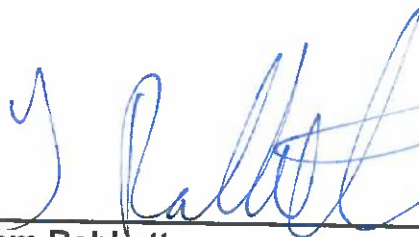
Prior to the commencement of development, the developer shall submit to and agree in writing with the planning authority revised drawings, revising the extension as follows:

- (a) The proposed rear extension shall be setback by at least 0.5 metres (half a metre) from the boundary wall (south elevation) adjoining the property at number 8 Beatty Park.

**Reason:** In the interest of clarity and to prevent overbearing on the adjoining property.

### **Reasons and Considerations**

The Board considered that a setback of two metres was unwarranted and that a setback of 0.5 metres would mitigate the potential of an overbearing impact on the adjoining property to the south and would also allow for maintenance of the boundary wall and the side of the subject extension.



**Tom Rabbette**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 4<sup>th</sup> day of August 2023.