



An
Bord
Pleanála

Board Order ABP-316601-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/119

Appeal by Siobhan O'Leary and David Fottrell of 228A Killeenlea, Celbridge, County Kildare against the decision made on the 3rd day of April, 2023 by Kildare County Council to grant subject to conditions a permission to Margaret Loughman and Pat Murphy care of CGA Consulting Engineers of 16 South Main Street, Naas, County Kildare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a storage building to the rear of the existing dwelling at Glencraig, Killeenlea, Celbridge, County Kildare.

Decision

GRANT permission for the above development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

P.C.

Reasons and Considerations

Having regard to the nature, scale, design and location of the development proposed to be retained, and the provisions of the Kildare County Development Plan 2023-2029, including Section 15.4.13 which sets out development management standards applicable to the development of a domestic garage/store, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would generally be in accordance with the development management standards set out for the type of development, would not seriously injure the amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The structure hereby permitted shall be used for domestic purposes only and shall remain ancillary to the dwellinghouse. It shall not be used for human habitation, for any commercial use, or for the carrying out of any trade. The structure shall not be let or sold separately to the dwellinghouse.

Reason: In the interest of clarity and to regulate the use of the development.

3. 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 developer shall also pay a financial contribution to the planning authority in respect of a shortfall of public open space. The contribution shall be paid in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions for 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.



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 16 day of July 2024.