

An
Bord
Pleanála

Board Order

ABP-317366-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

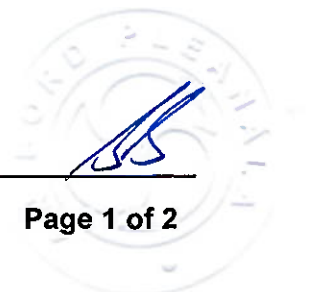
Planning Register Reference Number: 23/322

Appeal by James Kelly of Alliganstown, Ballymore Eustace, County Kildare against the decision made on the 22nd day of May, 2023 by Kildare County Council to refuse permission.

Proposed Development: Retention for the dwelling, as constructed, for a temporary period until the completion of the adjoining main dwelling which was granted under planning register reference number 18/1355 at Alliganstown, Ballymore Eustace, County Kildare.

Decision

REFUSE permission for the above development for the reasons and considerations set out below.



Reasons and Considerations

Having regard to the house permitted under planning register reference number 18/1355, which is near completion, it is considered that the applicant's housing need has been appropriately met. Due to the high standard of construction of the subject development and the lack of clarity in the description of development in the public notices and the planning application, the development as proposed fails to address the temporary nature of such arrangements and future re-instatement of the garage permitted under 18/1355. Furthermore, having regard to condition number 11 of 18/1355, which states that the 'proposed garage shall not be used for human habitation', the subject dwelling, as constructed and occupied, would contravene materially condition number 11 of 18/1355, would set an undesirable precedent for similar development, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *16th* day of *November* 2023.