

An
Bord
Pleanála

Board Order
ABP-317467-23

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/198

Application for Leave to Appeal against the decision of the planning authority by Paul Byrne and Fiona McHugh care of Downey of 29 Merrion Square, Dublin having an interest in land adjoining the land in respect of which Kildare County Council decided on the 2nd day of June, 2023 to grant subject to conditions a permission to Aryan Palvan care of James Fagan and Associates of Hawkfield, Newbridge, County Kildare.

Proposed Development: Three number first floor apartments and all associated site works. The proposed three number apartments are to occupy the same space where three number offices were previously granted permission under File Reference: 19266 at Henry Street, Newbridge, County Kildare.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

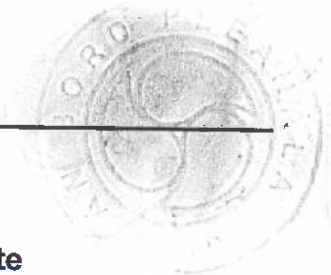
It is considered that:

- (i) while it has been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 by requiring that the plans, particulars and specifications be carried out in accordance with the revised details received by the planning authority on the 11th day of May, 2023 imposed by the planning authority to which the grant is subject, and
- (ii) it has not been shown that the imposition of this condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land. The Board did not consider that removal of the balconies and the addition of storage spaces would materially affect the applicant's enjoyment of the land or reduce its value.



Mary Henchy

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**



Dated this 18th day of July 2023.