



Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/626

Application for Leave to Appeal against the decision of the planning authority by Claire Connor and Paul McCready care of "Rossmore", Ard na Gappagh, Clane, County Kildare having an interest in land adjoining the land in respect of which Kildare County Council decided on the 27th day of July, 2023 to grant subject to conditions a permission to Kieran Mousley care of Brian Connolly Associates of The Studio, Wood's Way, Clane, County Kildare.

Proposed Development: Constructing a single storey extension to the rear and side of a two-storey detached type dwelling which is currently under construction as approved in planning file reference number 22/905, constructing a detached domestic studio/store, and all associated ancillary site works at Site 2, Gappagh Woods, Ballynagappagh, Clane, 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not 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 conditions imposed by the planning authority to which the grant is subject.

In reaching its determination, the Board noted that condition number 1 of the decision of the planning authority states that the development shall be carried out in its entirety in accordance with the plans, particulars and specifications received by the planning authority. Those plans and particulars record the finished floor level of the development along with clear dimensions on building height and levels. In this regard the development will not differ materially from the development as set out in the application by reason of condition number 1, as argued by the applicant for leave.



Chris McGarry

Member of An Bord Pleanála

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

Dated this 15th day of September 2023