

An
Bord
Pleanála

Board Order

ABP-317887-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/642

Appeal by Nuala Donagher care of Patrick M. Kerr Architecture of 39A Maynooth Road, Celbridge, County Kildare against the decision made on the 1st day of August, 2023 by Kildare County Council to refuse permission.

Proposed Development: Retention of detached single storey timber cabin and its associated works, including private car parking spaces etc., and permission for the relocation of the timber cabin to connect it to the rear of the existing dwellinghouse to form an extension to the house, demolition of the existing shed to rear of existing house, relocation of car space to rear and revision of entrance to rear car parking space off laneway and all associated alterations to boundary treatment, all located at the rear garden of 715 Courtown Road, Kilcock, County Kildare with access of rear mews laneway.

Decision

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

Reasons and Considerations

Having regard to the scale, form and design of the proposed rear extension, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed for retention would not adversely impact the residential amenity of neighbouring property or the character and visual amenity of the existing building and area generally. The proposed development and development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the relocated timber cabin could be acceptably integrated as a single-storey rear extension to the existing modest dwelling and would not be injurious to the residential and visual amenities of the area.

Conditions

1. The development shall be retained, carried out and completed 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 prior to commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The existing dwelling and the extension shall be occupied as a single housing unit. The extension shall not be subdivided from the remainder of the dwelling and shall not be sold, let or otherwise operated as a separate dwelling unit. The overall dwelling shall be used for domestic related purposes only and not for any trade, workshop or other non-domestic use.



Reason: In the interests of clarity and to regulate the use of the development in the interest of the proper planning and sustainable development of the area.

3. The timber cabin shall be re-located and the existing shed demolished within six months of the date of this Order unless otherwise agreed in writing with the planning authority.

Reason: In the interest of control and orderly development.

4. Details of the pedestrian access gate, vehicular access and associated boundary treatment to the laneway at the northern end of the site shall be agreed in writing with the planning authority prior to the commencement of development and thereafter strictly adhered to in the development.

Reason: In the interest of amenity and traffic safety.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

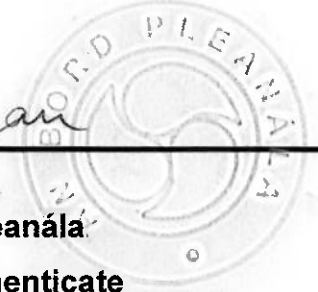
Reason: In order to safeguard the residential amenities of property in the vicinity.

S. Logan

Stewart Logan

Member of An Bord Pleanála

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



Dated this *14th* day of *May* 2023.