



An  
Bord  
Pleanála

**Board Order**  
**ABP-318713-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 23/953**

**Appeal** by Catriona Gorman of 20 Main Street, Leixlip, County Kildare against the decision made on the 5<sup>th</sup> day of December, 2023 by Kildare County Council to grant subject to conditions a permission to Granite and Marble Crafts Limited care of Fergal O'Malley of Ballinakill Lodge, Enfield, County Meath in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Extension and renovation of the existing retail premises (existing total floor area of 111.277 square metres) including (a) increasing the height of the building to accommodate additional retail space at first floor level (first floor area of 116.981 square metres), (b) external elevation alterations throughout and (c) all associated site works and services to facilitate the proposed development at 16-18 Main Street, Leixlip, County Kildare.

**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.**

*P.C.*

## Reasons and Considerations

Having regard to the Town Centre zoning objective of the site, the design, layout and scale of the proposed development, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development, would not seriously injure the visual amenities or residential amenity of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The proposed green corrugated metal roof shall be omitted from the proposed development and an alternative roof finish shall be agreed with the planning authority prior to commencement of any works on site.

**Reason:** In the interest of visual amenity.

3. Prior to commencement of any works on site, the developer shall ascertain and comply with all the requirements of the planning authority in relation to proposed signage and lighting.

**Reason:** In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

5. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

6. No advertisement or advertisement structure (other than those to be agreed with the planning authority) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

P.C.

7. 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 and surface water management.

8. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreements with Uisce Éireann.

**Reason:** In the interest of public health.

9. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including management of construction traffic, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and residential amenity.

10. 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 contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of 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 Callear*

**Patricia Callear**

**Member of An Bord Pleanála**

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

Dated this *05* day of *July* 2024