

An
Bord
Pleanála

Board Order
ABP-319552-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 2360218

Appeal by Emer and Barry McCarthy care of Tim Chapman Architects of 69 Sallins Bridge, Sallins, County Kildare against the decision made on the 25th day of March 2024 by Kildare County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: For the conversion of the attic of the existing two storey house into a habitable bedroom and en suite with a new dormer window to the rear and Velux style rooflight to the side together with all associated site works, at 8 Racecourse Gate, Naas, County Kildare.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 so that it shall be as follows for the reasons set out.

2. The development shall be revised as follows and the applicant shall submit revised drawings, including detail of the proposed finishes which shall be in keeping with the existing dwelling, for the written approval of the planning authority, within three months of this grant of this permission:
 - (a) The proposed door shall be omitted from development and replaced with a window.
 - (b) The glazed guarding to the front of the dormer shall be omitted from the development.


Reason: In the interest of visual amenity and proper planning of the area.



Reasons and Considerations

Having regard to the nature and limited scale of the development it is considered that, subject to the amended condition as set out, the proposed development would not adversely impact the residential amenities of adjoining properties, would be compatible with the design, form and character of properties in the vicinity, would be consistent with the provisions of the Kildare County Development Plan 2023-2029 including Section 15.4.12 which relates to alterations to existing dwellings, and would otherwise be in accordance with the proper planning and sustainable development of the area.

The Board did not agree with the Inspector that the proposed door and glazed guarding to the front of the dormer were warranted, given the proposed use of the dormer extension as a bedroom and the potential for overlooking of the private amenity space of the adjacent residential dwellings. The Board therefore considered it appropriate to omit these elements from the proposed development by amending condition number 2.



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



Dated this 24th day of October 2024.