



An
Bord
Pleanála

Board Order
ABP-320602-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 24/60525

Appeal by Catherine Crofton of 18 Lowtown Manor, Robertstown, County Kildare against the decision made on the 25th day of July, 2024 by Kildare County Council to grant subject to conditions a permission to Enda McCallig care of Jason Mooney of Ballyteague, Kilmeague, Naas, County Kildare in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of alterations to the granted planning file planning register reference number 23/448. The alterations include: (a) revised roof type to front (north) elevation and side (east) elevation to not exceed existing roof ridge height, (b) addition of one window to front (north) elevation to side (west), flat roof extension, (c) retention of existing attic space as storage space only, (d) omission of window to side (east) elevation and (e) to include associated works at 19 Lowtown Manor, Robertstown, Naas, 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.

Reasons and Considerations

Having regard to the information submitted with the planning application and the appeal, and the nature and scale of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be in accordance with the zoning objective for the site and the policies with respect to residential extensions, as set out in the Kildare County Development Plan 2023-2029, would not seriously injure the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No part of the development including fascia boards, gutters, drainpipes or other rainwater goods shall overhang or encroach onto the neighbouring property. Details with respect to the same, including construction drawings showing amendments to the roof to prevent overhanging, if required, shall be submitted to the planning authority for agreement prior to any amendments being made to the roof. Such works or measures shall be agreed within three months of the date of this Order. Any such works agreed with the planning authority as required to prevent overhanging to the adjacent property shall be carried out within six months of the agreement with the planning authority
- Reason:** To prevent impact to the residential amenities of adjacent properties.

3. The attic shall not be used as a habitable space.
- Reason:** In the interest of clarity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.
- Reason:** In the interest of public health.

5. 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.



Tom Rabbette

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

Dated this 5th day of FEB. 2025.