



Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 2490

Appeal by Dennison Trailers Limited care of Clarke and Company, Consulting Engineers and Architects, Fairgreen, Naas, County Kildare against the decision made on the 26th day of August 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: (1) Construction of 65 number truck parking spaces, 10 number car parking spaces and two number pull-in areas, in lieu of an industrial unit previously granted under planning permission PI Reference 20/434. (2) Construction of toilet facilities and plant/storeroom building (70.84 square metres) to the north-east of the site. (3) Construction of interior access roads, site lighting, infrastructure, landscaping, boundary treatment and all associated site development works at Ladytown, Naas, County Kildare.

Decision

Having regard to the nature of the conditions 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 REMOVE condition number 2 and the reason therefor and AMEND condition number 3 so that it shall be as follows for the reason set out.

3. The permission relates only to the development as contained within the application red line boundary and, by association, does not permit any development on land adjoining the site to the south-west.

Reason: In the interest of clarity.

Reasons and Considerations

The application did not seek permission / retention permission for development on the lands referred to by the planning authority in Conditions number 2 and 3. Having regard to Section 34(4) of the Planning and Development Act, 2000, the requirement for conditions number 2 and 3 has no functional connection to the proposal for which permission is currently sought. An amendment of condition number 3 permits the gate, which was included in the application.



Declan Moore

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

Dated this 30th day of JANUARY 2025.