

An
Bord
Pleanála

Board Order
ABP-321722-25

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 2461134

Appeal by Tom Davy and Aoife McDonnell care of Robert Keran Consulting Limited of Baldrumman House, Baldrumman, Lusk, County Dublin against the decision made on the 16th day of December 2024 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: Permission for extensions and alterations to existing two-storey dwelling comprising: (1) the construction of new single and two-storey extensions to the front, side and rear of the existing two-storey house including all internal reconfiguration and associated refurbishment works; (2) removal of existing garden sheds and rear garden boundary fence and construction of new garden shed and new wall to the north east boundary; (3) widening of the existing vehicular entrance and associated alterations to wall, kerbs and footpath; (4) extension of height of existing front boundary wall with new fencing; (5) all associated site development works, drainage, hard and soft landscaping and all other ancillary works at 15 The Grove, Louisa Valley, 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.

Reasons and Considerations

Having regard to the grounds of appeal, the 'Existing/Infill' residential zoning objective B, the pattern of development in the area and the policy framework provided by the Kildare County Development Plan 2023-2029, it is considered that, subject to compliance with the conditions set out below, the proposed development to extend the existing dwelling house at number 15 The Grove, would be consistent with Section 15.4.12 of the development plan, would provide a reasonable upgrade of accommodation on site and would not have an adverse impact on the amenities of adjoining properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as submitted to the planning authority, 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. Prior to the commencement of development, the developer shall submit revised elevation drawings, for the written agreement of the planning authority, to provide for the following:
 - (a) The boundary railing proposed to be raised above the existing (south) front boundary wall shall be omitted from the development.
 - (b) The omission of the widening of the vehicular entrance

Reason: In the interest of residential and visual amenity.

3. Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, including the finish of the south gable elevation of the proposed two-storey extension, which shall exhibit a white painted finish.

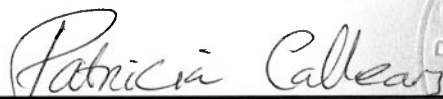
Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 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.

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 the 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 the Board 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 Calleary

Member of An Bord Pleanála

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



Dated this 17 day of April 2025.