

An
Coimisiún
Pleanála

Commission Order
ABP-322625-25

Planning and Development Act 2000, as amended

Planning Authority: Carlow County Council

Planning Register Reference Number: 2460119

Appeal by Sinead O'Keeffe care of Studio B Design Consultants Limited of Lismard House, Tullow Street, Carlow and Pipers Lodge, Kilkea Upper, Castledermot, County Kildare against the decision made on the 1st day of May 2025, by Carlow County Council to grant subject to conditions a permission to Tudor Cupcea care of James Kealy Planning and Design Services of Carlow Gateway Business Centre, Athy Road, Carlow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention permission for the construction of a domestic shed and cellar as constructed, permission for completion of same, and all associated works at 25 Brooklawns, Pollerton, County Carlow.

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 application, the nature and scale of the proposed development and the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would comply with the zoning objective for the site, as set out in the Carlow County Development Plan 2022-2028, 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 carried out, completed, and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 8th day of April 2025, 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, completed, and retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The domestic shed and cellar shall be used solely for domestic storage purposes or a purpose that is incidental to the enjoyment of the dwelling house. The shed and cellar shall not be used as a self-contained dwelling unit, or for any business, trade or commercial activity.

Reason: To define the use of the shed.

3. Within a period of six months of the date of the final grant of permission, the developer shall ensure that the overhanging roof eaves and gutters of the shed are amended to ensure that they are entirely contained within the subject site. The developer shall submit substantiating documentation for the written agreement of the planning authority in the form of photographs, an updated site layout plan, roof plan and elevation drawings which demonstrate compliance with the same.

Reason: In the interest of residential amenities.

4. Building works shall be carried out only between the hours of 0700 to 1900 Monday to Fridays, between 0800 and 1400 hours on Saturday 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: To safeguard the residential amenities of adjoining property in the vicinity.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

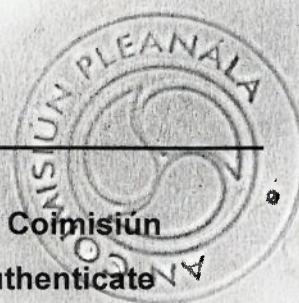
Reason: In the interest of public health.

6. 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 Coimisiún 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.


Marie O'Connor

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 20 day of August 2025.