



An  
Coimisiún  
Pleanála

Commission Order  
PL-500207-KE-26

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**Planning and Development Act 2000, as amended**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 2560072**

**Appeal** by Paul Carey against the decision made on the 16<sup>th</sup> day of October 2025 by Kildare County Council to grant, subject to conditions, a permission to Michael Curtain in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention Planning for the construction of a single-storey extension to the side and rear, planning permission for the construction of the continuation of the side extension into a first floor extension, internal alterations and all associated ancillary site works at 101 The Drive, Castletown, Celbridge, 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 established residential location, the pattern of development in the vicinity, the policies of the Kildare County Development Plan 2023-2029 in terms of residential extensions (Section 15.4.12) and the design, layout and scale of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the elements of the development proposed to be retained, namely the single storey extensions to the side and rear of the dwelling, would provide for a reasonable upgrade of accommodation on the site, would be in keeping with the pattern of development in the area and would not have an adverse impact on the amenities of adjoining properties. These elements of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the proposed first floor extension should be omitted for the following reason and attached Condition 2 accordingly. Having regard to the entirety of the information on file, including the reports submitted by the first and third parties in relation to boundary matters, the lack of separation distance to the neighbouring property, and to the drawing detail submitted with the appeal response which the Commission considered was not sufficiently clear on the arrangements for surface water disposal from the proposed first storey extension, the Commission was not satisfied that the applicant had demonstrated that this element of the proposed development would not overhang or encroach on the adjoining property, and did not consider that this could be addressed by condition. As such this element of the proposed development would not comply with Section 15.4.12 of the Kildare County Development Plan 2023-2029 in relation to residential extensions and would seriously injure the residential amenity of the adjoining property at Number 100 The Drive. This element of the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by further information submitted on 19<sup>th</sup> day of September 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed first-floor extension to the side of the dwelling shall be omitted. Revised drawings showing compliance with this condition shall be submitted to the planning authority prior to the commencement of development.

**Reason:** In the interest of residential amenity.

3. The dwelling and extension(s) shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** In the interests of clarity and development control.

4. No part of the subject development including any fascia boards, gutters, drainpipes or other rainwater goods shall overhang or encroach onto any neighbouring properties.

**Reason:** In the interest of the proper planning and sustainable development of the area.

5. Prior to the commencement of any further works on the site, the developer shall submit details for the disposal of surface water from the site for the written agreement of the Planning Authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

6. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.  
  
(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

**Reason:** In the interest of public health

7. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

**Reason:** To safeguard the amenity of property in the vicinity.

8. 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.

*Mary Gurrie*

**Mary Gurrie**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this *20* day of *May* 2026

