



An
Coimisiún
Pleanála

Commission Order
PL-500607-KE-26

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Register Reference Number: 2560409

Appeal by Patrick Stokes against the decision made on the 9th day of December, 2025 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: Permission for the sub-division of existing site for the construction of two number detached one and half storey, two-bedroom houses, access road, connection to foul, sewer and all associated site works at rear of 677 Ballymany Cottages, Ballymany, Newbridge, County Kildare.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the zoning objective of the site as 'B' Existing Residential/infill in the Newbridge Local Area Plan 2013-2019 (extended to 2021) and the Draft Settlement Plan for Newbridge 2025-2031 which primarily seeks to protect and enhance the amenity of established residential communities and promote sustainable intensification, it is considered that the proposed two detached one and a half storey dwellings would result in the overlooking of the private amenity spaces of neighbouring properties to the east, southeast, west and northwest and by reference to its siting within close proximity to boundaries would be overbearing on adjoining private amenity space of properties to the east and west. The proposed development would seriously injure the residential amenity of these properties (to the east, southeast, west and northwest) and would establish an undesirable precedent for similar development in the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission agreed with the inspector in respect of the policy support for infill development. The Commission also agreed with the inspector that the proposed development would not be seriously injurious to existing residential amenities by reason of overshadowing or access to daylight/sunlight and that it would not adversely impact on the visual amenities of the area and would not have an adverse impact upon the character of the area. However, the Commission determined that the dwellings would result in the overlooking of the private amenity spaces of neighbouring properties to the east, southeast, west and northwest and by reference to its siting within close proximity to boundaries, the dwellings would be overbearing on adjoining private amenity space of properties to the east and west. The Commission concluded that the proposed development would, therefore, seriously injure the residential

amenity of these properties (to the east, southeast, west and northwest) and in this regard did not share the inspector's findings on these matters.

Patricia Calleary

Patricia Calleary

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this *28th* day of *April*

2026