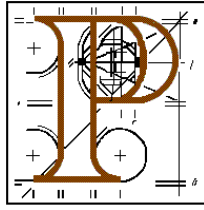


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Kildare County**

**Planning Register Reference Number: 15/595**

An Bord Pleanála Reference Number: 09.LV.3290

**APPLICATION FOR LEAVE TO APPEAL** against the decision of the planning authority by Thomas Droney of 59 Abbeyfield, Kilcock, County Kildare, having an interest in land adjoining the land in respect of which Kildare County Council decided on the 21<sup>st</sup> day of March, 2016 to grant subject to conditions a permission to Merlon Developments Limited care of McCrossan O'Rourke Manning of Albert Place West, Harcourt Lane, Dublin.

**PROPOSED DEVELOPMENT:** An amendment to a previously approved scheme planning register reference number 03/1698 (An Bord Pleanála appeal reference number PL 09.207374), as subsequently amended by planning register reference numbers 05/1697, 05/3052, 06/734, 06/2260, 09/1424, 09/1153 and 12/421. The amendments propose modifications to the scheme layout by replacing a total of 121 number permitted dwellings numbered 1 to 32, Block G, Ryebriidge Grove comprising: 12 number two bed type L units, 10 number three bed type J duplex units over 10 number two bed type I ground floor apartments in a three-storey block; and numbered 1 to 45, Ryebriidge View comprising the following: two-storey terraced dwellings: 11 number three bed type A houses, three number three bed type A1 houses and seven number four bed type A2 houses, eight number three bed type B houses, three number four bed type E houses, three number four bed type E1 houses, two number four bed type F houses and eight number two bed type K apartments in two-storey blocks; and numbered 1 to 44 Ryebriidge Gardens comprising: three-storey blocks containing 16 number three bed type J duplex

units over 16 number two bed type I ground floor apartments and 12 number two bed type L units, for a new arrangement of 72 number two-storey dwellings comprising 48 number three bed type B1 semi-detached houses, six number four bed type G semi-detached houses, two number four bed type G1 detached houses, eight number four bed type G4 semi-detached houses, six number four bed type G5 detached houses and two number four bed type G6 semi-detached houses and with all houses containing on-curtilage car parking and including modifications/realignment of the approved access roads/services to serve the new dwellings plus associated site development works including boundary treatments and landscaping works, all located on a 4.203 hectares (10.38 acres) site at the development now known as Ryebriidge, Boycetown, Commons East, Kilcock, County Kildare.

## **DECISION**

**GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition numbered 30 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition numbered 30 will materially affect the applicant's enjoyment of the land adjoining the land of the proposed development or reduce the value of that land.

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

**Dated this      day of                      2016.**