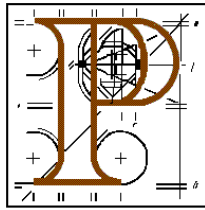


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Authority Reference Number: ED/00569

An Bord Pleanála Reference Number: 09.RL.3439

WHEREAS a question has arisen as to whether the erection of a ground floor extension to the rear of 3 Rinawade Avenue, Leixlip, County Kildare is or is not development or is or is not exempted development:

AND WHEREAS Angela Carpenter of 3 Rinawade Avenue, Leixlip, County Kildare requested a declaration on the said question from Kildare County Council and the said Council issued a declaration on the 10th day of November, 2015 stating that the said matter is development and is not exempted development:

AND WHEREAS the said Angela Carpenter referred the declaration for review to An Bord Pleanála on the 4th day of December, 2015:

AND WHEREAS An Bord Pleanála, in the light of the documentation on the file, and the content of the declaration, has reformulated the question as follows:-

- (a) whether a ground floor extension to the rear of the house as proposed, and
- (b) whether the relocation as proposed of a wall to a ground floor extension

at 3 Rinawade Avenue, Leixlip, County Kildare is or is not development or is or is not exempted development:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2, 3 and 4 of the Planning and development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended, and
- (c) Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the works described at (a) and (b) above would constitute works which would come within the scope of Section 3(1) of the Planning and Development Act, 2000, and, therefore, constitute development,
- (b) the development described at (a) above comes within the scope of the exemptions provided for in Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, and

- (c) the development described at (b) above comes within the scope of Section 4(1) (h) of the Planning and Development Act, 2000:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that:

- (a) a ground floor extension to the rear of the house as proposed, and
(b) the relocation of a wall to a ground floor extension as proposed

are development and are exempted development,

all at 3 Rinawade Avenue, Leixlip, County Kildare.

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.

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

Dated this day of 2016.