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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 19/6**

**APPEAL** by Maridan Property Limited care of Andrew Stewart Architects of 41 Woodlawn Park, Dublin against the decision made on the 1<sup>st</sup> day of August, 2019 by Kildare County Council to refuse permission.

**Proposed Development:** Demolition of existing agricultural sheds and front boundary wall and development of 24 number three-storey, four bedroom semi-detached houses, one number three-storey four bedroom detached house, eight number three-storey, three bedroom semi-detached houses, site developments including new drainage and water services, landscape planting and treatment, boundary walls, roads and pathways, new road access to Station Road including associated road markings and relocation of bus stop. All at Station Road, Leixlip, County Kildare. Further public notices were received by the planning authority on the 8<sup>th</sup> day of July, 2019 which included the following: Red line of boundary altered to incorporate extended right turning lane along Station Road.

## **Decision**

**REFUSE permission for the above proposed development in accordance with 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**

1. The “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas”, and the accompanying Urban Design Manual, issued by the Department of the Environment, Heritage and Local Government in May, 2009, require a high-quality approach to the design of new housing developments. Criterion number 4 of the Urban Design Manual states that a successful neighbourhood will be one that houses a wide range of people from differing social and income groups and advocates a mix of unit types of varying sizes. The National Planning Framework recognises the increasing demand for one and two person households and states that a wide range of different housing needs will be required in the future and seeks to maximise the efficiency of lands in urban areas.

The proposed development, by reason of its composition, which consists solely of three and four bedroomed houses, and provides for no one or two bedroomed units, in the context of an area where there is already a predominance of three and four bedroomed units, and by reason of a layout that provides a gross density of only 26 units per hectare, in a location proximate to high capacity public transport, would be contrary to these Ministerial Guidelines and over-arching national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the prominent location of the site on Station Road and to the existing attractive random rubble stone finished outbuilding on the site, which is considered to be of importance to the streetscape, it is considered that the proposed development, by reason of the design, bulk and three-storied height of the houses, set back from the road, and by reason of the demolition of the stone outbuilding, would be out of character with the streetscape and would be visually obtrusive. Furthermore, it is considered that the demolition of the existing stone outbuilding would contravene Policies VA1 and VA2 of the Kildare County Development Plan 2017 – 2023 and Policy BH01.3 of the Leixlip Local Area Plan 2017 – 2023, which seek to protect, retain and renovate structures of vernacular heritage. The proposed development would, therefore, seriously injure the visual amenities of the area, would be contrary to the provisions of the Development Plan and Local Area Plan and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the layout and location of the proposed entrance in close proximity to the junction of the R404 Old Hill Celbridge Road and the R148 Station Road, it is considered that the proposed development, notwithstanding the proposed demolition of the stone outbuilding, would endanger public safety by reason of traffic hazard, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**