



Planning and Development Acts 2000 to 2020

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/967

APPEAL by Glengolden Builders Limited care of Maguire and Associates of 6 Railway Terrace, Dublin Road, Naas, County Kildare against the decision made on the 8th day of April, 2020 by Kildare County Council to refuse permission.

Proposed Development: (a) Construction/erection of 11 residential units comprising two number two-storey 117.6 square metres three bedroom semi-detached dwellinghouses (House Type A1+A4), six number two-storey 89.6 square metres two bedroom terraced townhouses (House Type C1+C2+C3+C4+C5+C6), and three number two-storey 117.6 square metres three bedroom terraced townhouses (House Type A1+A2+A3), (b) all associated site development works to include car parking, bin stores, bicycle stores, boundary walls and associated fencing, (c) modifications to existing site entrance to include new access road, boundary wall and footpath, and (d) all site development works including new footpath along site frontage with connections to existing foul sewer, surface water, water main and all services. The granting of planning permission for the demolition of the existing single storey house on site was granted on planning permission register reference 18/727, all at Four Seasons, Greenhills, Kill, County Kildare.

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. Having regard to the proximity of the proposed development (in particular units numbers 1 to 8) to the N7 national primary road, to the existing noise environment at the site arising from the proximity to the N7, and to the requirement that windows to habitable bedrooms would have to remain closed to meet normally accepted noise levels for bedroom accommodation, it is considered that, notwithstanding the proposed noise mitigation measures in the design, the environment would have a serious negative impact on the use of the private amenity areas and internal living accommodation in units numbers 1 to 8. The proposed development would, therefore, result in a substandard form of residential development which would seriously injure the amenity of future occupants of the development and would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed residential layout, incorporating two perpendicular residential blocks with a large area of circulation and parking to the front and areas of public open space that are separated from the majority of the site and units in the development, would result in a visually incongruous and inappropriate form of residential development on this visually prominent site on the approach to Kill town centre and would result in a poor standard of residential amenity for future occupants of the proposed development. The proposed development would, therefore, seriously injure the residential amenities of future occupants and the visual amenities of the area, and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2020.