

An
Bord
Pleanála

Board Direction
BD-016965-24
ABP-316274-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/07/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations


1. Having regard to the existing use on site, the pattern of development in the vicinity, the planning history of the area, the nature, scale, and design of the proposed hotel development, the Urban Development and Building Height Guidelines for Planning Authorities (2018) and the policies and objectives set out in the Kildare County Development Plan 2023-2029 and Kildare Town Local Area Plan 2023-2029, including the 'K' Commercial zoning for the site which seeks 'to protect and improve existing commercial uses and provide for additional commercial developments', it is considered that, by reason of design, in particular the overall elevational treatment which lacks articulation and liveliness, and the interface/engagement with the public realm at ground level, the proposed development does not present an appropriate urban design solution, fails to create a strong urban edge at this location and would be seriously injurious to the visual amenities of the area. The proposed development would not accord with the objectives of the Kildare County Development Plan 2023-2029, specifically objective UD01, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature and scale of the proposed development, the Board was not satisfied that proposed access and servicing arrangements, including car parking, had been sufficiently well documented. The Board was, therefore, not satisfied that the proposed development would not endanger public safety by reason of traffic hazard and would not lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to surface water drainage, the Board was not satisfied based on the limited information provided in relation to attenuation capacity, that surface water can be adequately dealt with within the curtilage of the site, including the use of appropriate SUDs measures. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Board agreed with the Inspector that the amendments submitted by the Applicant at appeal stage were significant and therefore, agreed that it was appropriate to assess the plans and particulars submitted to the planning authority. While agreeing with the Inspector that a refusal was warranted for the reasons and considerations outlined above, the Board considered the site, given its location and context at the edge of Kildare town, is appropriate for a building of the proposed height and that it is at a sufficient remove not to be injurious to the character of Kildare town historic core. The Board also considered, given the site location, layout and significant setback, that issues of overlooking, over shadowing and overbearance on residential dwellings in the vicinity would not arise.

Board Member


Martina Hennessy

Date: 11/07/2024