An Coimisiún Pleanála

Direction
CD-022543-26
ACP-323351-25

The submissions on this file and the Inspector's report were considered at a meeting held on 13/10/2026.

The Commission decided to refuse permission for the following reasons and considerations.

Planning Commissioner: MaryRose McGovern **Date:** 16/10/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the provisions of the Kildare County Development Plan 2023-2029, including Objective HO O6 which seeks to ensure that the need to provide for sustainable residential development is balanced with, *inter alia,* the protection of existing residential amenities, and having regard to the layout, scale and design of the proposed development, and its proximity to the western boundary, it is considered that the proposal would give rise to unacceptable impacts on existing residential amenity, in the form of undue overlooking from several proposed residential units. In particular, proposed Terrace 3, by virtue of its height and positioning, in close proximity to the western boundary, and the proposal for 12 no

windows at first floor level on the western elevation, would, in the absence of adequate setback from the western boundary, result in serious injury to the residential amenities of the adjacent property to the west. The Commission considered that the proposed development fails to offer an appropriate design response to the subject site, contrary to the development plan's Urban Design and Placemaking Policy, and in particular, Objective UD 01, which requires a high standard of urban design to be integrated into the design and layout all new development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the original layout for the proposed development and also noted the alternative layout ("Option B") submitted by the developer, as part of the first party appeal. The Commission did not share the Inspector's stated preference for Option B and, instead, considered that the original layout offered a more considered design solution to the characteristics of the subject site. In addition, the Commission noted that the alternative layout (Option B) submitted as part of the appeal, was materially different from the original layout proposed to the planning authority. In the absence of public advertising and notification, the Commission did not consider it appropriate to assess the proposed alternative layout, having regard to the absence of an opportunity for full public participation.