



An
Coimisiún
Pleanála

Direction
CD-022295-26
ACP-323507-25

The submissions on this file and the Inspector's report were considered at a meeting held on 01/07/2026.

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

Planning Commissioner:


Declan Moore

Date: 02/07/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location of the site within an existing residential development in an area which is in use as public open space and has been proposed as public open space under planning register reference number 16/869, Objective ST KL59 of the Kilcullen Settlement Plan and Objective LR 093 of the Kildare County Development Plan 2023-2029, and, notwithstanding the Town Centre zoning of the site, it is considered that the proposed development would result in a significantly reduced area of public open space which would equate to circa 6.6% of the overall site area, which would be below the recommended minimum public open space standards and recommendations set out in Section 15.6.6 of the development plan and Section 5.3.3 and Policy and Objective 5.1 (Public Open Space) of the Compact Settlements Guidelines (2024).

Furthermore, it is considered that the lack of sufficient public open space would serve to negatively impact on the residential amenity of both existing and future residents. The proposed development would materially contravene Objective LR 093 of the Kildare County Development Plan 2023-2029, would represent an inappropriately sited form of residential development, would set an undesirable precedent for similar type development, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

The Commission noted the Inspector's caution in his report when referencing Objectives ST KL59 of the Kilcullen Settlement Plan and LR 093 of the Kildare County Development Plan 2023-2029, as *New Issues*. The Commission did not regard consideration of either Objective as a *new issue* because both relate specifically to public open space, and the Planning Authority, Appellant and Observers all canvass the subject of the provision/amount of open space in their submissions, albeit with respect to a Condition in a previous planning decision.