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The submissions on this file and the Inspector's report were considered at a meeting held on 06 March 2026.

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

**Planning Commissioner:**

**Patricia Calleary**

**Date:**

**10<sup>th</sup> day of March 2026**

### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

Having regard to the grounds of appeal, the residential zoning objective, the established pattern of development in the area, the policy framework provided by the Kildare County Development Plan 2023-2029 and the Kilcullen Settlement Plan and on the basis of the information submitted with the application and appeal, the Coimmission was not satisfied that the proposed development would

be in compliance with Objective IN O24 of the development plan and Objective ST KL47 of the Kilcullen Settlement Plan which states that underground tanks and storage systems will not be accepted under public open space, as part of a SuDS solution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note:**

The Commission noted the inspector's second recommended reason for refusal, which considered that the proposed development may be contrary to Objective IN O26 of the Kildare County Development Plan 2023-2029 in relation to the quantum of open space proposed for Sustainable Drainage Systems (SuDS). The Commission further noted, as set out in the inspector's report, that this matter constitutes a new issue in the context of the appeal. While ordinarily such a matter might warrant the Commission seeking the views of parties to the appeal prior to determining whether it should form a reason for refusal, having regard to the substantive reason for refusal, the Commission decided not to pursue this matter further in its determination of the appeal. Accordingly, the Commission did not include this recommended reason for refusal in its decision.