An Coimisiún Pleanála

Commission Direction
CD-001404
PL-500485-KE-25

The submissions on this file and the Inspector's report were considered at a meeting held on 12th October 2026.

The Commission decided to refuse permission generally in accordance with the following reasons and considerations.

Planning Commissioner:

Emer Maughan

Date: **19th day of October 2026**

DRAFT WORDING FOR ORDER

Reasons and Considerations

On the basis of the information submitted with the application and the appeal, the Commission is not satisfied that the applicant has sufficiently demonstrated that the arrangements for the management and discharge of surface water are adequate to cater for the proposed development in accordance with Objective

IN O23 which requires that all new developments reduce the generation of storm water run off and ensure all storm water generated is disposed of on site or attenuated and treated prior to discharge to an approved water system. The Commission considered that the provision of an underground attenuation solution in the form of an oversized pipe is unacceptable in this instance and that the applicant has not incorporated sufficient SuDS and Nature Based Solutions to manage surface water within the site given the extent of roadways, parking and hard landscaping in the proposed development. Although the Commission considered the SuDs Layout Plan (Dwg. No. 930-450 Maloney Millar) submitted with the appeal incorporating improved measures to optimise surface water including rain planters, tree pits and bio swales, nevertheless the Commission could not be satisfied that the calculated surface water run off rates could be relied upon given the rain gardens are proposed within the private rear gardens of Units 1-6, and could therefore be removed by the future occupants of these units. The proposed development would be contrary to Policy IN P4 of the Kildare Development Plan 2023-2029 which aims to ensure adequate surface water drainage systems are in place which meet the requirements of the EU Water Framework Directive and the River Basin Management Plan in order to promote the use of Sustainable Drainage Systems. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

The Commission did not agree with the Inspector's assessment that the provision of an underground attenuation solution in the form of an oversized pipe is acceptable in this instance or that the the applicant has fully considered all SuDS and Nature Based Solutions to manage surface water within the site given the

extent of roadways, parking and hard landscaping in the proposed development. Although the Commission considered the SuDs Layout Plan (Dwg. No. 930-450 Maloney Millar) submitted with the appeal incorporating improved measures to optimise surface water including rain planters, tree pits and bio swales, nevertheless the Commission could not be satisfied that the calculated surface water run off rates could be relied upon given the rain gardens are proposed within the private rear gardens of Units 1-6, and could be removed by the future occupants of these units.

The Commission agreed with the Inspector's recommended reasons for refusal that the design approach of the current proposal results in a layout that is dominated by surface car parking. The Commission also agreed with the Inspector that the proposed development would result in poor quality communal open space provisions for the duplexes and apartments. In addition, the Commission agreed with the Inspector that the proposed layout lacks visual connectivity between the houses and the apartment building and the houses and car parking area resulting in a substandard layout. The Commission agreed that the elevational and roof treatments in combination with projecting steps and balconies in close proximity to the R409 would result in a visually incongruous scheme at this village location that would be out of character with the established pattern of development and would be contrary to Objective V CA2 of Volume 2 of the Kildare County Development Plan 2023-2029 which seeks to ensure new development complements and enhances the village scape and uses quality building materials.

Furthermore, the Commission considered that the proposed vehicular access to the site which traverses the Gingerstown Park residential estate does not deliver a successful urban design and healthy placemaking outcome within the village setting and that the overall design approach is car-oriented. The

Commission also noted the lack of connectivity to the adjacent site to the north. Further consideration of the proposed vehicular access should be incorporated into any future application.

Whilst, ordinarily, these matters might warrant further consideration and a request for further information, in this instance given the substantive reason for refusal above, it was decided not to pursue these matters under the current appeal.