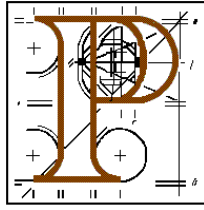


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/200

An Bord Pleanála Reference Number: PL 09.246076

APPEAL by Kelston Properties Limited care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 23rd day of December, 2015 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: Development consisting of of 215 number dwellings and a two-storey crèche (552 square metres) and all associated and ancillary site development works including link road. The house breakdown is as follows: 18 number House Type A (four bed, 2.5 storey, 174 square metres); 28 number House Type B (three bed, two-storey, 118.8 square metres); 13 number House Type B1 (four-bed, 2.5 storey, 162.1 square metres); 10 number House Type C1 (four-bed, 2.5 storey, 165.0 square metres); 29 number House Type D (four-bed, 2.5 storey, 165.5 square metres); 24 number House Type D1 (four-bed, 2.5 storey, 165.9 square metres); eight number House Type E (two-bed, two-storey, 84.0 square metres); 45 number House Type F (three-bed, two-storey, 106.5 square metres); five number House Type G (four-bed, 2.5 storey, 201.7 square metres); 20 number House Type H (four-bed, 2.5 storey, 176.3 square metres); 13 number House Type J (two-bed, two-storey, 110.1 square metres) and two number House Type J1 (three-bed, 2.5 storey, 147.8 square metres), all at Greenfield, Maynooth, County Kildare, bounded by the M4 motorway to the south, Barton Bus Depot to the west, Lidl Supermarket to the north-west, Carton Court Estate to the north, Greenfield Drive and Maynooth Park to the north-east and Griffin Rath Manor to the east, as amended by the revised public notice received by the planning authority on the 3rd day of December, 2015.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

The submissions made in connection with the planning application and appeal identify part of the site as being subject to flooding. In the absence of a detailed site-specific flood risk assessment that would clearly identify the areas affected to inform the design of the proposed development, the Board is not satisfied that the proposed development would not itself be at risk of flooding, or that it would not give rise to an increased risk of flooding in the area. It is considered that the proposed development would, therefore, be contrary to the provisions of the "Planning System and Flood Risk Management - Guidelines for Planning Authorities" (2009) and would be prejudicial to public health. Furthermore, the Board considered that the extent of development within an area designated as "Open Space and Amenity", including car parking, roads and other ancillary development, would be contrary to the zoning objective, which seeks "to protect and provide for recreation, open space and amenity provision", and whereby development that would result in a loss of open space will not normally be permitted. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.