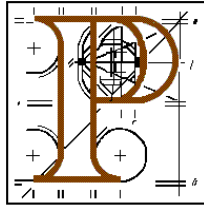


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 16/109

An Bord Pleanála Reference Number: PL 09.246427

APPEAL by Richard and Ursula Mooney care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 30th day of March, 2016 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: The partial demolition of an existing two-storey mixed-use building, with the front (north-east) and side (north-west) elevations being retained, along with part of the roof of this structure and for the construction of a steel-framed, steel-clad, lightweight building behind the facades to be retained and for the use of this new structure (which would contain 207.5 square metres), as a facility for the storage of up to eleven cars awaiting replacement parts (or as a staff parking area when vacant space is otherwise available), in connection with the adjoining car mechanic workshop, all at Market Square, Newbridge, County Kildare.

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 site is subject to a 'Town Centre' zoning objective in the Newbridge Local Area Plan 2013-2019, where the appropriate re-use and regeneration of buildings is to be encouraged, and where garages and car repairs are not permitted. The proposed development forms an integral element of the adjoining car repair business, and the Board is not satisfied that the proposed development would not constitute an inappropriate scale of expansion of a non-conforming use. Furthermore, Section 7.11.1 (Architectural Heritage) of the Local Area Plan states that vernacular architecture makes a strong contribution to the character of the Newbridge streetscapes, and it is an objective of the Council to protect it. Having regard to the nature of the proposed development, involving the substantial demolition of this early 1800s townhouse, which formed part of the historic formal square at the Court House, leaving only two facades remaining, and to the visual effect of the keeping of vehicles behind the facades, it is considered that the demolition of original fabric is not justified, and that the proposed development would contravene policies VA1 and VA6, as set out in the Kildare County Development Plan 2011-2017, on vernacular heritage, and Local Area Plan policy AH1 on vernacular architecture and objective RO6 on architectural and streetscape heritage, and would compromise the vision set out for Design Brief 4 of the Local Area Plan. It is, therefore, considered that the proposed development would seriously injure the visual amenities of the area, would substantially detract from the historic character of Market Square by reason of the effective and considerable loss of architectural heritage, and would, therefore, fail to come within the scope of Section 8.2 of the Local Area Plan in relation to non-conforming uses. The proposed development would fail to protect the special character of Newbridge Town Centre, would contravene the Town Centre zoning objective for the site, and would 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.