

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Kildare County**

**Planning Register Reference Number: 16/233**

An Bord Pleanála Reference Number: PL 09.246663

**APPEAL** by Teresa Monaghan care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 4<sup>th</sup> day of May, 2016 by Kildare County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Development consisting of the following: (a) 190 number houses (eight number detached two-storey five bed houses, three detached two-storey four-bed houses, 68 number semi-detached two-storey four-bed houses, one number detached two-storey three-bed houses, 76 number semi-detached two-storey three-bed houses, six number semi-detached two-bed bungalows, four number terraced two-storey two-bed houses and 24 number terraced three-storey three-bed houses), (b) a single storey neighbourhood centre with three number retail units, (c) a two-storey crèche building, (d) two new road entrances off the R148 and R158 and (e) all associated site works to include roads, car parking, service yard, open spaces and landscaping, boundary walls, bin stores, attenuation tanks and site services at site accessed off the R148 and R158, and abutting the Junction 8 roundabout on the M4 at Boycetown, Kilcock, 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**

1. Having regard to Article 5 of the European Communities Environmental Objectives (Surface Waters) Regulations, 2009, which requires that a public authority, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water, the plans and timescale with regard to the upgrading of public water and wastewater infrastructure in the area, it is considered that the proposed development would be premature by reference to an existing deficiency in the provision of water services and public sewerage facilities and the period within which the constraints involved may reasonably be expected to cease. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development would be premature pending necessary road infrastructure improvements in the area and therefore would be contrary to the proper planning and sustainable development of the area.

- 3 It is considered that the proposed development by reason of its layout and design fails to respond appropriately to the adjoining properties including the Protected Structure, RPS Reference B-05-08 the former Saint Patrick's Church and would not contribute to a sense of place making. The proposed development would, therefore, contravene materially the provisions of the Sustainable Residential Development in Urban Areas Guidelines 2009, the Urban Design Manual 2009, the Kildare County Development Plan 2011-2017 and the Kilcock Local Area Plan 2015-2022 and would be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2016.**