



An  
Bord  
Pleanála

**Board Order**  
**PL 09.248093**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Kildare County.**

**Planning Register Reference Number: 16/1241.**

**Appeal** by Glengolden Builders Limited care of Maguire and Associates of 6 Railway Terrace, Dublin Road, Naas, County Kildare against the decision made on the 2<sup>nd</sup> day of February, 2017 by Kildare County Council to refuse permission to the said Glengolden Builders Limited:

**Proposed Development:** (a) Erection of 34 residential units comprising eight number two bedroom two-storey townhouses in two blocks (Block A1), eight number two bedroom two-storey townhouses in two blocks (Block A2), six number three bedroom two-storey semi-detached houses in three blocks (Block B1), four number two bedroom two-storey town houses in one block (Block C1), two number three bedroom apartments and six number two bedroom apartments in two-storey block (Block D1), (b) all site development works associated with the erection of these 34 residential units to include footpaths, access roads, car parking, bicycle parking, bin storage areas, boundary walls, all associated landscaping areas and public lighting, (c) use of existing site entrance and access roads, all at Celbridge Road, Capdoo Commons, Clane, County Kildare.

## **Decision**

**REFUSE permission for the above proposed development in accordance with 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 the zoning of the site, the objective of which is to provide for Business and Technology in the Clane Local Area Plan 2017 - 2023, and in which residential development is not permitted, and having regard to the location of the site adjoining a number of existing commercial uses, it is considered that the development of residential housing at this location would materially contravene the zoning objective indicated in this local area plan for the area and would represent an inappropriate form of development on this site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to its location along the Celbridge Road at the entrance to Clane, it is considered that the proposed development would be out of character with the pattern of development in the area, and having regard to the poor quality of the residential layout and design, the unsuitable disposition and quality of public open space, the unsatisfactory location of houses and apartments within the site, the use of a shared road entrance which would not be conducive to pedestrian safety, and the lack of adequate parking, it is considered that the proposed development would be contrary to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages), issued by the Department of the Environment, Heritage and Local Government in May 2009, and the Design Manual for Urban Roads and Streets, issued by the Department of the Environment, Community and Local Government in 2013. The proposed development would thereby constitute a substandard form of development which would seriously injure the amenities of the area, be contrary to these Ministerial Guidelines and would be contrary to the proper planning and sustainable development of the area.
3. The proposed development would be premature due to the existing lack of capacity in the Clane wastewater network, including the Clane foul pump station, and other sewer network constraints in the area between Clane and the Osberstown Waste Water Treatment Plant, which deficiencies will not be rectified within a reasonable period. The proposed development would, therefore, 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        2017**