



An  
Bord  
Pleanála

**Board Order**

**PL 09.248727**

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

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 17/94**

**Appeal** by Coalquay Leisure Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 24<sup>th</sup> day of May, 2017 by Kildare County Council to refuse permission for the proposed development.

**Proposed Development:** Subdivision of the ground floor, external and internal alterations at the Former Hibernian Bank (Protected Structure RPS reference AY036), 46 Leinster Street, Athy, County Kildare. The proposed internal alterations at ground floor level will facilitate the proposed change of use to a café and the retention and relocation of the existing gaming and amusement arcade to the rear of the building. The proposed external alterations consist of the replacement of the ground floor windows; replacement of the front door; new signage and repairs and refurbishment of the façade.

## **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. It is the policy of the planning authority, in order to maintain the appropriate mix of uses and protect night time amenities in a particular area, to discourage an excessive concentration of gaming arcades/takeaways and fast-food outlets and to ensure that the intensity of any proposed use is in keeping with both the scale and pattern of development in the area. In the absence of details relating to the nature of use of the café, the Board is not satisfied that the café, and the gaming arcade, would not lead to an excessive concentration of such uses. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

