



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 17/488

Appeal by Treacy Courtyard Development Limited care of Clarke and Company of Fairgreen, Naas, County Kildare against the decision made on the 25th day of January, 2018 by Kildare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: An extension to Newbridge Courtyard shopping centre comprising of: (a) demolition of existing Unit 1, Block D of the Courtyard shopping centre including modifications to existing elevations of the block to facilitate access and connectivity; (b) demolition of existing standalone storage building to rear of Block D, (c) construction of proposed Block CC4, comprising of 6085 square metres of retail space on ground, first and second floors, car parking to third and fourth floors, connecting to adjoining existing multi storey car park; (d) construction of 3 retail units to ground floor of Block CC3 comprising of 286 square metres retail space, construction of six number two bedroom apartments on first, second and third floors of Block CC3; (f) landscaping, connecting roads and all ancillary works, all at Newbridge Courtyard Shopping Centre, Edwards Street, Newbridge, County Kildare

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH conditions numbers 11, 15 and 16 and the reasons therefor.

Reasons and Considerations

Having regard to requirements under the Design Manual for Urban Roads and Streets (DMURS), the coherent connection of the proposed development to existing services and facilities, and the impact of the proposed development on traffic at junctions in the vicinity, it is considered that the conditions are appropriate and are in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the inspector's recommendations with regard to conditions numbers 11 and number 16, the Board noted that condition number 11 requires a design only and not construction, and that the applicant has proposed to review and upgrade camera equipment, and accordingly condition number 16 is acceptable.

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.

Michelle Fagan

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

Dated this day of 2018.