



An  
Bord  
Pleanála

**Board Order**

**ABP-301371-18**

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

### **Planning Authority: Kildare County Council**

**Application** for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 4<sup>th</sup> day of April 2018 by Ballymount Properties Limited, care of John Spain Associates, 39 Fitzwilliam Place, Dublin 2.

#### **Proposed Development:**

A strategic housing development at the Former Magee Barracks Site, Hospital Street (R445), Kildare Town, Co. Kildare. The site is bound to the south by Hospital Street (R445), and to the east, west and north by existing residential areas.

The development will consist of the demolition of 16 number existing buildings (including a range of former barracks buildings, the Officers' Mess building and Water Tower structure) with a gross floor area of 16,115 square metres, and the construction of a development comprising of 264 number residential units, a neighbourhood centre comprising of three number single storey retail units with a gross floor area of 115 square metres, 105 square metres and 100 square metres respectively, a café (including gallery / exhibition area at mezzanine level) with a gross floor area of 300 square metres, a two-storey childcare facility with a gross floor area of 680 square metres and associated play area, all internal roads, car

parking, pedestrian and cycle paths, public open space, and all associated site and infrastructural works on an application site of circa 11.14 hectares.

The 264 no. residential units proposed consists of the following:

- 150 number three-bed semi-detached houses with a gross floor area of 117 square metres (Type A),
- 16 number four-bed semi-detached houses with a gross floor area of 143 square metres (Type B),
- 10 number four-bed detached houses with a gross floor area of 143 square metres (Type C),
- 14 number three bed terrace houses (semi-detached) with a gross floor area of 117 square metres (Type E1),
- Eight number three-bed terrace houses with a gross floor area of 117 square metres (Type E2),
- Two number four-bed terrace houses (corner units) with a gross floor area of 143 square metres (Type F),
- 26 number two-bed apartments (duplex blocks) with a gross floor area of 82.5 square metres (Type G),
- 26 number three-bed duplex apartments (duplex blocks) with a gross floor area of 123 square metres (Type G),
- 12 number one-bed apartments with a gross floor area of 54 square metres (Type H).

The housing units are two to three storeys in height and the duplex / apartment units are three storeys in height. One number electricity substation with a gross floor area of 12.5 square metres and a bin store with a gross floor area of 12.5 square metres are located at the proposed neighbourhood centre. The associated site and infrastructural works include foul and surface / storm water drainage, attenuation tanks, 540 number car parking spaces comprising 482 number spaces for the residential units, 26 number spaces for visitors and 32 number spaces to serve the proposed retail, café and childcare units, and public open space measuring circa 1.9 hectares, bin and bike stores, landscaping, boundary walls, railings and fences.

A new signalised road junction providing access to the proposed development and additional road works to Hospital Street (R445) are proposed, including pedestrian crossings, upgrades to footpaths, signage, road markings and traffic signalling.

## **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. The proposed development, which is characterised predominantly by three and four bed semi-detached housing, would be contrary to the section 28 Ministerial Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual issued by the Department of the Environment, Heritage and Local Government in May 2009, and would contravene Policy MD 1 of the Kildare County Development Plan 2017-2023, which seek to ensure that a wide variety of adaptable housing types, sizes and tenures are provided in the county. Criterion number 4 of the Urban Design Manual recognises that a successful neighbourhood will be one that houses a wide range of people from differing social and income groups and recognises that a neighbourhood with a good mix of unit types will feature both apartments and houses of varying sizes. The National Planning Framework issued by the Department of Housing, Planning and Local Government, recognises the increasing demand

to cater for one and two person households and that a wide range of different housing needs will be required in the future.

2. Having regard to the location of the site close to the town centre of Kildare and to public transport and proximate to social and educational facilities, it is considered that the proposed residential development would not be developed at a sufficiently high density to provide for an acceptable level of efficiency in the use of serviced lands and would accordingly be contrary to National Policy as set out in the section 28 Ministerial Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas. Furthermore, it is considered that the positioning of the proposed three storey apartment/duplex units on the periphery of the lands adjoining established single storey and two storey houses would be an inappropriate design response to the site and would seriously injure the residential and visual amenities of these properties.

In addition to the above, some proposed apartments/duplexes are not fully in compliance with the section 28 Ministerial Guidelines for Planning Authorities Sustainable Urban Housing: Design Standards for New Apartments (2018) in relation to minimum storage areas and floor to ceiling heights. The proposed development would, therefore, be contrary to the section 28 Ministerial Guidelines and 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        2018**