



An
Bord
Pleanála

Board Order ABP-302922-18

Planning and Development Acts 2000 to 2018

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 2nd day of November 2018 by Glan Developments Limited care of JFOC Architects, 11a Greenmount House, Harold's Cross, Dublin 6W.

Proposed Development:

A permission for a strategic housing development at Ballymany, Newbridge, Co. Kildare.

The development will consist of the demolition of an existing derelict house and sheds and the construction of a new residential development comprising 180 number dwellings (145 number houses of between two and 2.5 storeys, and 35 number apartments in a part four-storey and part six-storey block), bicycle stores and bin store for the apartments, and all associated and ancillary site development works on lands to the west/south-west of Ballymany Manor and Rathcurragh Housing Estates.

The application includes improvement works to the foul sewer pump station and provision of additional storage capacity and surface water attenuation pond. A new circa 660-metre long link street connecting onto the R445 (Ballymany Road), including a new right turning lane created from the R445 and terminating at the

Rathcurragh public open space, will be provided as a part of the planning application.

The breakdown of dwellings is as follows:

Houses:

- 55 number house type A (two-storey, three bedrooms, semi-detached)
- 32 number house type A1 (2.5-storey, four-bedroom, of which 29 number are semi-detached and three number are detached),
- 14 number house type B (2.5-storey, four bedrooms, semi-detached),
- 3 number house type C (two-storey, four bedrooms, semi-detached),
- 6 number house type D (two-storey, two bedrooms, mid-terrace with shared access to rear),
- 2 number house type E (two-storey, three bedrooms, semi-detached),
- 8 number house type F (two-storey, three bedrooms, mid-terrace),
- 4 number house type G (two-storey, three bedrooms, semi-detached),
- 8 number house type H (2.5-storey, three bedrooms, end-terrace),
- 4 number house type J (two-storey, two bedrooms, mid-terrace with shared access to rear),
- 1 number house type J1 (two-storey, two bedrooms, mid-terrace with shared access to rear),
- 2 number house type J2 (two-storey, two bedrooms, end-terrace),
- 4 number house type K (two-storey, three bedrooms, mid-terrace with shared access to rear),
- 1 number house type K1 (two-storey, three bedrooms, mid-terrace with shared access to rear) and
- 1 number house type L (2.5-storey, three bedrooms, semi-detached).

Apartments:

- 6 number type M1, (three-bedroom duplex)
- 6 number type M2, (three-bedroom)
- 1 number type M3 (one-bedroom)
- 2 number type M4 (two-bedroom)
- 1 number type M5 (three-bedroom duplex)
- 1 number type M6 (two-bedroom)

- 4 number type M7 (one-bedroom)
- 10 number type M8 (one-bedroom)
- 2 number type M9 (two bedrooms)
- 2 number type M10 (two-bedroom)

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. It is considered that the proposed design strategy for the overall development, and in particular the scale, mass and design of the apartment building at the entrance to the development, and also the design, layout and unit mix of the housing units proposed, does not provide an acceptable design solution having regard to the site's locational context. The design of the proposed apartment block is considered to be an inappropriate design response to the site, given its locational context, which requires a building of much greater architectural quality than that proposed. It is considered that the arrangement and overall design of the apartment scheme is monolithic with repetitive proportions and an unrefined palette of materials. In addition, it is dominated by car parking and lacks proximate usable open space. Furthermore, the "Urban Design Manual – a Best Practice Guide" issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the overall residential development results in a poor design concept and layout that is unimaginative and substandard in its form, scale and layout and fails to provide a hierarchy of high quality usable open spaces. In addition, the proposal fails to establish a sense of place and includes a poor quality of architectural design and limited palette of materials to the proposed units and apartment block which would result in a substandard form of development lacking in variety and distinctiveness. Furthermore, the urban edge proposed to the south of the site lacks architectural quality, variety and sense of place. The proposed development would, therefore, be contrary to these Ministerial Guidelines which promote innovative and qualitative design solutions, and would be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied, on the basis of the information submitted in respect of surface water management on the site and flood risk that the documentation received, both drawings and accompanying reports, is sufficiently detailed, is consistent and incorporates satisfactory SuDS measures to facilitate a comprehensive examination of the storm water proposals for the proposed development. Furthermore, it is considered that the flood risk report submitted is not sufficiently comprehensive nor does it comply with the requirements of the Flood Risk Guidelines entitled 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices'). The Board cannot be satisfied, therefore, that the proposed development would not lead to a risk of flooding, including flood risk to third party properties and lands, and cannot be satisfied that the development would not be prejudicial to public health. In the absence of certainty in relation to these matters, the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

