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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 17/1377**

**APPEAL** by Clonmel Enterprises Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan, County Dublin against the decision made on the 29<sup>th</sup> day of November, 2018 by Kildare County Council to refuse permission.

**Proposed Development:** Redevelopment of the existing (i) Malt House (a protected structure, Kildare County Council RPS number 3525), consisting of 15 number two bed apartments and six number one bed apartments, Old Managers House (a protected structure, Kildare County Council RPS number B21-08) consisting of one number two bed duplex apartment and one number three bed duplex apartment, demolition of the existing stable block (87.9 square metres) (a protected structure) and existing bungalow (89.3 square metres), construction of 28 number new residential units comprising of (ii) (a) 14 number three bed terraced houses, (b) 14 number four bed semi-detached and terraced houses, (iii) internal distributor road, (iv) 91 number car parking spaces, (v) bin storage, (vi) all associated site works, signage, landscaping, bicycle parking, boundary treatments and drainage at The Malt House, Canal Harbour, Monasterevin, County Kildare. The proposed development was revised by further public notices received by the planning authority on the 2nd day of November, 2018, including proposed changes to the surface water drainage system, submission of a Natura Impact Statement (NIS) and minor

alteration to the red outline boundary with the omission of a portion of lands along the northern boundary.

## **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 design and car dominated layout of the proposal in a town centre location, it is considered that the proposed development would result in poor quality public realm, poor disposition, quality and quantity of public and private open space, and a road layout which would not be conducive to pedestrian safety. The proposed development would, therefore, constitute a substandard form of development, would seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

2. The proposed housing layout, by virtue of its design, architectural treatment and significant tree removal, would negatively impact on the curtilage, attendant grounds and setting of Protected Structures RPS number B21-27(NIAH reference number 11816093) and RPS number B21-08 (NIAH reference number 11816095) and would adversely affect the Monasterevin Architectural Conservation Area. The proposed development would, therefore, be contrary to policies PS 2, PS 12, PS 17, PS 18 and ACA 2 of the Kildare County Development Plan 2017-2023 and would be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

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

**Dated this            day of            2019.**