



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 18/883

APPEAL by Blackstand Limited care of Vivian Cummins and Associates Limited of Stanhope Street, Athy, County Kildare of against the decision made on the 27th day of March, 2019 by Kildare County Council to refuse permission to Blackstand Limited.

Proposed Development: The construction of 23 houses and four apartments (19 three-bedroom two-storey houses, three two-bedroom two-storey houses, one four-bedroom single-storey adapted house and four one-bedroom apartments) in a series of terraced and semi-detached units with one detached unit; the provision of vehicular and pedestrian access at the north east of the site from the existing R418/Castledermot Road; the provision of public open space, landscaping, including boundary treatments; and the provision of all other associated site excavation, infrastructural and site development works above and below ground, all at Showgrounds, Townparks, Athy, County Kildare.

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. The proposed vehicular junction from the subject site to the R418 would result in a proliferation of access points onto a public road, contrary to section 17.7.4 of the Kildare County Development Plan 2017-2023, which seeks to discourage such proliferation, and which also seeks to encourage and promote shared access points in all circumstances. Having regard to the existence of a proximate, separate junction to the south and serving a multi-unit residential development, it is considered that the proposed development would constitute a sub-optimal roads and traffic layout for the wider area and would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the “Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in May, 2009, and the Department of Transport, Tourism and Sport’s Design Manual for Urban Roads and Streets, 2013, it is considered that the proposed development would result in a substandard layout that would not integrate with the surrounding residential areas and local road network or provide for a good quality residential environment by reason of the poor relationship of the residential blocks with each other and in terms of orientation to the adjoining road and residential layout to the south, the peripheral location within the site of the public open space areas and their poor interlinkage. The proposed development would, therefore, seriously injure the amenity of future occupants. The proposed development would be contrary to the Ministerial Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.