



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/335

APPEAL by Patrick O'Donohoe care of Joe Bonner of The Airport Hub, Unit 1, Furry Park, Old Swords Road, Santry, Dublin against the decision made on the 22nd day of May, 2019 by Kildare County Council to refuse permission.

Proposed Development: Subdivision of an existing property with two number new dwellings at the end of a cul-de-sac. (i) Unit A – one number detached two-storey two bed house to the front garden area. Private terrace at first floor enclosed by obscure glass and a timber screen. New boundary wall to private garden at ground floor. (ii) Unit B – one number two-storey two bed house with bay window and gabled roof to side of existing two-storey semi-detached house. Existing rear garden subdivided with new boundary wall, all to the rear. (iii) Four number car park spaces and bin storage to a new shared access area, all to the front. (iv) Alterations to existing gable wall of house and all associated site and development works, all at 1 Rinawade Close, Leixlip, 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. Having regard to the restricted nature and prominent location of this end of the cul-de-sac site and to the established pattern of development in the surrounding neighbourhood, it is considered that the proposed development by reason of its scale, form and design would constitute overdevelopment of a limited site area, would be overbearing and visually obtrusive on the streetscape, and would be out of character with the existing development in the vicinity. The proposed development would contravene the zoning objective afforded to the site which seeks to 'protect and enhance the amenity of established residential communities and promote sustainable intensification' and would seriously injure the amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would result in a substandard form of development that would be out of character with the pattern of development in the area and would result in the poor disposition and quality of the communal courtyard area, by reason of its intended use as car parking, bin storage and pedestrian circulation immediately adjacent to the front doors of the proposed houses, together with the lack of bike storage. The proposed development would compromise pedestrian safety by reason of traffic hazard, would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Based on the information submitted with the application and the appeal, the Board is not satisfied that the proposed development can be appropriately connected to the public water services in accordance with the requirements of Irish Water and the Water Services Section of Kildare County Council. The proposal to locate water service pipework below a dwelling is not acceptable and it is concluded that, if permitted, the development would be prejudicial to public health and would compromise the residential amenity of future occupants. The proposed development would, therefore, contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.