



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/710

APPEAL by Briargate Developments Newbridge Limited care of Simon Clear and Associates, Planning and Development Consultants of 3 Terenure Road West, Terenure, Dublin against the decision made on the 16th day of August, 2019 by Kildare County Council to refuse permission.

Proposed Development: Amendments to initial phase of development granted under planning register reference number 16/658 as follows: Construction of 71 number dwellings in lieu of 33 number dwellings and a crèche; the 71 number two-storey dwellings proposed consist of 12 number two bedroom mid-terrace houses; 47 number three bedroom houses comprising 32 number semi-detached, 14 number end-of-terrace and one number mid-terrace; 12 number four bedroom houses comprising six number detached and six number semi-detached; internal alterations to the permitted road layout; vehicular access from the R445 (as permitted), landscaping, boundary treatments and all associated site works and services at Ballymany, Newbridge, 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 site of the proposed development is located on residentially zoned (Objective C2) and serviced lands within the boundary of Newbridge Town, and in close proximity to a range of established community facilities and services and in a location (Larger Town – Outer Suburban) where paragraph 5.11 of the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities issued by the Department of Environment, Housing and Local Government in May 2009 states that the greatest efficiency in land usage will be achieved by providing net residential densities in the general range of 35-50 units per hectare and where development at net densities less than 30 units per hectare should generally be discouraged in the interests of land efficiency. Compliance with the density provisions of these guidelines is supported by Section 4.5 of the Kildare County Development Plan, 2017-2023 and Policies LD01 and LD03 of the same plan which states that it is policy to ensure that the density of residential development maximises the value of existing and planned physical and social infrastructure and makes efficient use of zoned lands and that it is policy to require higher residential densities

at appropriate locations as set out in the Sustainable Residential Development in Urban Areas Guidelines. Notwithstanding the specific density provisions of the Newbridge Local Area Plan, 2013-2019 (extended until 2021) which indicates a maximum density of 15 units per hectare on lands zoned Objective C2, it is considered that the proposed development of 22.6 units per hectare and the impact of the proposed amendment on the density of the overall residential development of the appeal site and adjoining lands to the north which would increase to approximately 24.3 units per hectare, would therefore result in a form of development which would result in an inefficient use of scarce zoned and serviced lands, and which would be contrary to the provisions of the Guidelines and the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2020