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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 19/898**

**APPEAL** by Minbay Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 2<sup>nd</sup> day of October, 2019 by Kildare County Council to refuse permission.

**Proposed Development:** (1) Alterations to previously approved development planning register reference number 18/1289. The proposed alterations are as follows: construction of one number additional storey, to approved three-storey building, comprising one number one-bedroom and two number two bedroom apartments each served by private balcony located on the front (southern) elevation, and all ancillary works necessary to complete the development. The proposed development will increase the quantum of residential units within the "Silken Gardens" apartment complex from 14 apartments to a total of 17 number apartments. All at Silken Gardens, Dublin Road, Maynooth, 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. Policy AR 10 of the Maynooth Local Area Plan 2013-2019 seeks to protect the views and prospects along Carton Avenue. The proposed four-storey development by reason of its scale and location in close proximity to Carton Avenue (an historic designated landscape feature connecting the planned town of Maynooth to Carton House and Demesne) and recreational facility, would seriously injure the visual and recreational amenities and heritage of this area and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the overall height, mass, scale and layout of the proposed development, the Board considered that the proposed development would be incongruous in terms of its bulk and scale, and that the quality and location of the communal open space would be inadequate in terms of residential amenity for existing and future residents. The proposed development would seriously injure the visual and residential amenities of the area and would, therefore, 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            2020.**