



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/1193

APPEAL by Perwood Holdings Limited care of Duignan Dooley of 62 Brighton Square, Rathgar, Dublin against the decision made on the 17th day of December, 2019 by Kildare County Council to refuse permission to the said Perwood Holdings Limited.

Proposed Development Change of use of a creche, under previously approved register reference 16/1107, to a single dwelling house, to include minor amendments to the approved elevations, internal layout, parking and all associated site works, all on 0.06-hectare site with access off The Sexes Road to the north, within previously approved White Oaks development, Rickardstown, 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

Permission was previously granted on lands containing the appeal site for 96 number residential units and a crèche facility. The crèche facility was to be provided as part of the social infrastructure on the basis of the residential scheme including more than the 75-dwelling threshold, as set out under the provisions of the “Childcare Facilities Guidelines for Planning Authorities” issued by the Department of the Environment and Local Government in June 2001. Having regard to the relevant provisions of the Kildare County Development Plan 2017-2023 to facilitate and encourage the provision of childcare facilities, and to Circular Letter PL3/2016 (March 2016) regarding Childcare Facilities operating under the Early Childhood Care Education (ECCE) Scheme (Planning System support for childcare post September 2016 – Implementation of the Childcare Facility Guidelines for Planning Authorities 2001), it is considered that the proposed change of use from a crèche to a dwelling, would result in the absence of a planned crèche facility to serve the new residential development. This would result in a poorly integrated new residential community, which would not be supported by local or national policy and would, therefore, be contrary to proper planning and sustainable development for the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered the documentation submitted with the application and the appeal and determined that this information did not provide compelling or authoritative confirmation of available spare capacity in current childcare provision within the wider area, such that a change of use in this instance could be supported.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.