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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 19/1225**

**APPEAL** by Kerrie Leonard care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 3<sup>rd</sup> day of January, 2020 by Kildare County Council to refuse permission for the proposed development.

**Proposed Development:** (i) Demolition of existing single-storey building in use as a medical/dental clinic and removal of existing hard surfaced car park situated to the rear of the site; (ii) construction of two-storey building to accommodate four number six-bedroom student-accommodation apartments; (iii) provision of shared amenity lawn (94 square metres) to be located to the rear (north) of the building and shared parking area, inclusive of 10 number vehicular parking spaces and 20 number bicycle parking spaces, to be located to the front (south) of the building and (iv) all associated site works necessary to facilitate the development including landscaping and SuDS drainage at Kilcock 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. Having regard to the nature and design of the proposed development on a restricted site, it is considered that the proposed development, notwithstanding the zoning objective for the site in the Kildare County Development Plan 2017-2023 for Community and Education, would represent a substandard form of student accommodation, lacking in the range of ancillary support, amenity and leisure facilities associated with such developments and would be contrary to the Guidelines on Residential Accommodation for Third Level Students issued by the Department of Education and Science in 1999 and to Section 17.6 of the Kildare County Development Plan 2017-2023. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the high water table and concentrated soakage and percolation areas, combined with the potential risk of flooding, it is considered that the proposed development could give rise to the contamination and pollution of the surface water system. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the site would be suitable for the on-site disposal of wastewater generated by the proposed development. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**