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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 20/90**

**APPEAL** by Conlon New Homes Limited care of The Planning Partnership of The Bank Building, 52 Oliver Plunkett Street, Mullingar, County Westmeath against the decision made on the 30<sup>th</sup> day of March, 2020 by Kildare County Council to refuse permission for the proposed development.

**Proposed Development:** 43 number residential units accessed by way of new entrance, piers and junction from the Rathasker Road (L6066) on lands of circa 1.16 hectares. The works also include the widening of the Rathasker Road to include footpaths and requires street lighting fronting the proposed site to the junction of the Southern Ring Road (R447). The proposed development will comprise the demolition of two number existing residential units and the construction of the following: 43 number new homes, comprising 19 number four bed townhouses, 12 number three bed townhouses, 6 number two bed and 6 number one bed apartments; the formation of 1,909 square metres of landscaped open space areas; 78 number car parking spaces (74 number dedicated spaces and 4 number visitor car spaces of which 1 number designated for people with specific access requirements); primary vehicular and pedestrian access to the proposed development will be provided from a new access and junction off the Rathasker Road, associated residential estate roads. The proposal includes all associated hard and soft landscaping, boundary treatments, footpaths and ancillary works above and below ground,

all at Rathasker Road, Naas West Townland, Naas, 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 location of the site on the edge of Naas, to the adjoining residentially zoned lands to the north and to the nature and width of Rathasker Road, notwithstanding the improvements proposed to the road, it is considered that the proposed development would be premature and would represent a piecemeal approach to the sustainable development of the area and would, therefore, be contrary to the provisions of the Kildare County Development Plan 2017-23. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the unsatisfactory juxtaposition of the proposed apartment building with neighbouring development, the siting and lack of appropriate supervision of the footpath/cycle link with the adjoining Esmondale housing estate, it is considered that the proposed development would conflict with the provisions of the Kildare County Development Plan 2017-23 which would give rise to a substandard level of residential amenity for future occupiers and which would seriously injure the adjoining residential amenities of the area. The proposed development would, therefore, 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            2021.**