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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 20/266**

**APPEAL** by Mason Homes Limited care of Declan Brassil and Company Limited of Lincoln House, Phoenix Street, Smithfield, Dublin against the decision made on the 12<sup>th</sup> day of June, 2020 by Kildare County Council to refuse a permission.

**Proposed Development:** Construction of two number two storey, semi-detached, three bedroom dwellings on a site of 0.148 hectares within the Castlepark residential estate. The proposed development incorporates a landscaping works to adjoining lands zoned open space and amenity, boundary walls and fences, vehicular parking and all necessary roads, footpaths, surface water, foul water and potable water works to connect the two number dwellings to the existing mains services and public roads together with all associated site and development works at Castlepark (fronting on to Castlepark View and Castlepark Avenue), Dunboyne 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**

The parent permission was previously granted under planning register reference number 06/1925 and An Bord Pleanála appeal reference number PL 09.225882 on lands containing the appeal site for 123 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 (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 issued by the Department of Environment, Community and Local Government 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 development would result in an 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 accordingly would be contrary to proper planning and development for the area.

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

**Dated this                      day of                      2021**