



Planning and Development Acts 2000 to 2020

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/764

APPEAL by Andrew Bergin care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 13th day of August, 2020 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: Demolition of an existing agricultural shed (circa 120 square metres Gross Floor Area (GFA)) and the construction of a residential development comprising 97 number residential units with one number ancillary crèche facility, with a total Gross Floor Area of circa 11,670 square metres, consisting of: 40 number two-storey houses comprising: four number four bed semi-detached units, circa 131.4 square metres Gross Floor Area; 34 number three bed semi-detached units, ranging in size from circa 113.4 square metres to circa 126 square metres Gross Floor Area; two number three bed terraced units, circa 110 square metres Gross Floor Area; four number apartment blocks comprising 57 number apartment/duplex units comprising: Block 01 (two-three storey block, circa 1,411.1 square metres Gross Floor Area) comprising: six number two bed units (with own-door access), ranging in size from circa 83.5 square metres Gross Floor Area to circa 87.6 square metres Gross Floor Area; nine number two bed apartment units, ranging in size from circa 79.5 square metres Gross Floor Area to circa 82.6 square metres Gross Floor Area; Block 01 comprises balconies on

south-western and north-western elevations; Block 02 (three storey block, circa 1,491.3 square metres (Gross Floor Area) comprising: four number two bed units (with own-door access), circa 88.5 square metres Gross Floor Area; two number two bed apartment units, ranging in size from circa 84.3 square metres Gross Floor Area to circa 94 square metres Gross Floor Area; four number three bed duplex units (with own-door access), circa 135 square metres Gross Floor Area; one number three bed duplex unit, circa 150.8 square metres Gross Floor Area; one number four bed duplex unit, circa 149.7 square metres Gross Floor Area; Block 02 comprises balconies/terraces on southern, eastern and western elevations; Block 03 (three storey block, circa 1,722.9 square metres Gross Floor Area) comprising: five number two bed units (with own-door access), circa 88.5 square metres Gross Floor Area; two number two bed apartment units, ranging in size from circa 84.3 square metres Gross Floor Area to circa 94 square metres Gross Floor Area; five number three bed duplex units (with own-door access) circa 135 square metres Gross Floor Area; one number three bed duplex unit, circa 150.8 square metres Gross Floor Area; one number four bed duplex unit, circa 149.7 square metres Gross Floor Area; Block 03 comprises balconies/terraces on north-eastern, south-western and north-western elevations; Block 04 (three storey block, circa 1,950.3 square metres Gross Floor Area) comprising: six number two bed units (with own-door access), circa 88.5 square metres Gross Floor Area; two number two bed apartment units, ranging in size from circa 84.3 square metres Gross Floor Area to circa 94 square metres Gross Floor Area; six number three bed duplex units (with own-door access), circa 135 square metres Gross Floor Area; one number three bed duplex unit, circa 150.8 square metres Gross Floor Area; one number four bed duplex unit, circa 149.7 square metres Gross Floor Area; Block 04 comprises balconies/terraces on north-eastern and south-western elevations; one number single storey crèche facility, circa 304 square metres Gross Floor Area with vehicular Pick-Up-Set-Down on Geraldine Road. The development will also consist of the provision of a new vehicular access from Geraldine Road; the provision of a new vehicular access from L40071 to serve future phase(s) of development; the provision of cycle path/footpath on Geraldine Road and L40071, the provision of 173

number surface level car parking spaces, 178 number bicycle parking spaces; five number ancillary bin/bike stores; one number Electricity Supply Board sub-station to the west of Block 04; ancillary bin storage and all associated landscaping and boundary treatment works, the provision of public and private open space areas comprising hard and soft landscaping, site services (foul and surface water drainage and water supply) and all other associated site excavation, infrastructural and site development works above and below ground, all on site of circa 3.45 hectares at Geraldine Road and L40071, Athy, County Kildare in the townland of Prusselstown.

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

Having regard to the nature, scale and extent of the proposed development and the vehicular, pedestrian and cycle movements which would be generated by the residential scheme, including movements along local road L40071, a minor road which is substandard in terms of width and alignment, and notwithstanding the proposed footpath/cycleway proposals along the site frontage to the L40071, as set out in the application documentation, it is considered that in the absence of upgrades to local road L40071 to the extent required along its overall length, the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2021.