

Board Order ABP-309190-21

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 20/1225

APPEAL by Aaron and Grainne McHale care of Mesh Architects of 69 Middle Abbey Street, Dublin against the decision made on the 8th day of December, 2020 by Kildare County Council to refuse permission.

Proposed Development: Demolition of the existing non-original singlestorey garage extension to the side, the removal of the non-original rear wall and projecting bay of the central living space, the refurbishment of the nonoriginal living space and former outbuilding, the removal of a non-original toilet and staircase from the former outbuilding and extension of the existing first floor to same, the removal of two non-original rooflights in the roof of the former outbuilding, the removal of a small section of rear wall of said former outbuilding and the insertion of a new arched window opening above at first floor level, and the construction of the following: a new 42 square metre single-storey rear extension containing extended living area, circulation and a new side entrance; a new attached 145 square metre two-storey extension (76 square metre ground floor, 69 square metre first floor) containing additional living, bedroom, stairs and associated facilities including a link to the upper level of the former outbuilding, a new rooflight in the former outbuilding, a new rooflight to the living/dining area, general conservation and associated ancillary site works to include relocating the non-original stone piers to the side garden at The Old Gasworks, Canal Bank, Naas, County Kildare (a Protected Structure).



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 scale, siting and massing of the proposed development and specifically the proposed two-storey extension at the southern end of the existing house, to the scale of this development relative to the existing buildings on the site and to the protected structure status of these buildings, it is considered that the proposed development would visually dominate the existing protected structure on the site, would further elongate the north-south axis of the structure and would as a result detract from the original courtyard form of development on the site and would have a significant negative impact on the character and setting of a protected structure. The proposed development would, therefore, be contrary to Policies PS2 and PS3 of the Kildare County Development Plan, 2017-2023 relating to the prevention of inappropriate development that would adversely affect the character of a protected structure and that works to protected structures will not obscure views of principal elevations of protected structures and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development is located on the site of a protected structure at a visually prominent and sensitive location on the canal with a zoning of Objective M 'Future Park / Greenbelt' under the provisions of the Naas Town Plan, 2011-2017 (as extended) and where the stated objective is 'to protect the setting, character and environmental quality of areas of high natural beauty and safeguard their environmental and ecological amenities.' The design, scale and siting of the proposed development would be such as to result in a visually prominent and obtrusive form of development on a visually sensitive site that would have a negative impact on the character and setting of the Objective M zoning in the vicinity of the site such that the proposed development would contravene the land use zoning objective for the site and be contrary to the proper planning and sustainable development of the area.

DR. Maria Sitz Gerald

Maria FitzGerald

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board

Dated this 25th day of Jan 2022