

An
Bord
Pleanála

Board Order
ABP-314380-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/632

APPEAL by Mirc Properties Limited care of Gravis Planning of 121 Baggot Street Lower, Dublin against the decision made on the 21st day of July, 2022 by Kildare County Council to refuse permission.

Proposed Development: Demolition of an existing vacant residential dwelling and retail unit, and two number associated outbuildings, and the construction of 15 number apartments and two number retail units in two blocks (Block A and Block B). Block A is a three-storey apartment building facing onto the Main Street and consisting of 4 number one-bedroom apartments, 2 number two-bedroom apartments, 1 number three-bedroom apartment, one number retail unit and one number retail/café unit. Block A includes balconies at first and second floor level on the southern elevation, as well as an apartment storage area and a retail bin store at ground floor level. Block B is a three-storey apartment building located to the rear of the site consisting of 6 number two-bedroom apartments and 2 number three-bedroom apartments with balconies at first and second floor level on both the northern and southern elevations, and a bin store at ground floor level.

WJH

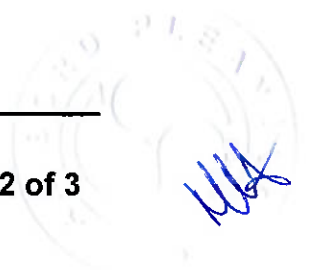
The proposed development includes amendments to an existing outbuilding to provide a residential bin store, 25 number car parking spaces, 40 number cycle parking spaces, hard and soft landscaping and all associated site works and services at Main Street, Johnstown, County Kildare.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

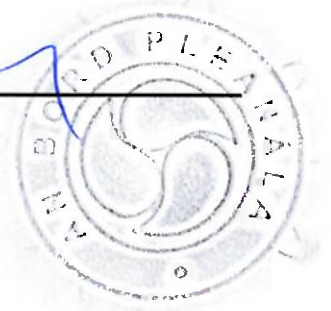
1. Having regard to the location of the site in an area at risk of flooding and based on the information received in connection with the planning application and appeal, the Board is not satisfied that the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. The proposed development would, therefore, be prejudicial to public safety and contrary to the proper planning and sustainable development of the area.



2. The Board considered the form, disposition and layout of the proposed development, such as the undercroft access to and usability of the communal open space, would result in a substandard quality of amenity for future residents. The proposed development would, therefore, be contrary to relevant provisions in the Kildare County Development Plan 2023-2029 and the proper planning and sustainable development of the area.



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



Dated this *2nd* day of *January* 2024.