

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/827

APPEAL by Provev Irishland Limited care of Hughes Planning and Development Consultants of 85 Merrion Square South, Dublin against the decision made on the 24th day of January, 2023 by Kildare County Council to refuse permission.

Proposed Development: The demolition of an existing single-storey dwelling (119 square metres) and single-storey commercial building (158 square metres) to facilitate the construction of a mixed use development (1,873 square metres) comprising of three number three-storey residential buildings comprising 12 number two-bed duplex units (ranging in size from 75 square metres to 76 square metres), four number one-bed apartments (53 square metres) and eight number two-bed apartments (73 square metres), all with associated balconies/terraces; a commercial unit at ground floor level (51 square metres), a communal bike store (80 square metres), and a communal bin store (38 square metres), a vehicular access to the subject site from the Clane Road to the west; internal roads, footpaths, 30 number car parking spaces, hard and soft landscaping, boundary treatments, lighting, drainage connections, and all other associated site and development works above and below ground; all at Osberstown, Sallins, Naas, County Kildare.

Decision

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

Reasons and Considerations

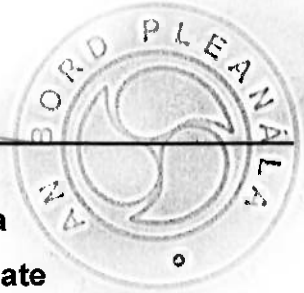
1. It is Policy TM P9 of the planning authority, as set out in Kildare County Development Plan, 2023-2029, to effectively manage and minimise the impacts of traffic in urban areas and prioritise the movement of pedestrians, cyclists and public transport particularly at key junctions, while maximising the efficient use of existing resources. Having regard to the configuration of the proposed modified site entrance, its location adjacent to existing public transport and cycle infrastructure, and opposite existing residential entrances, the nature and location of the development and given would represent a hazard to traffic and vulnerable road users by reason the potential for vehicular obstruction and conflict between motorists, cyclists and pedestrians. Furthermore, the Board is not satisfied that it has been adequately demonstrated, on the basis of the submissions made in connection with the application and appeal, that access through third party lands cannot be achieved at this location. It is considered that the proposed development would, therefore, be contrary to the provisions of the Development Plan, would endanger public safety by reason of traffic hazard and obstruction of road users and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the provisions of Section 11 the Sallens Local Area Plan, expired, and TM031 of the Kildare County Development Plan, 2023-2029, it is considered that an opportunity exists to enhance the

setting by forming a landscaped plaza to the front (south) of the building thereby creating links to the station and to better integrate with the surrounding land uses and potentially increase density.



Liam Bergin

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



Dated this 18th day of June 2024.