

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 2336

APPEAL by Murlyn Capital Investments Limited care of O'Connor Whelan Limited Planning Consultants of 222-224 Harold's Cross Road, Dublin against the decision made on the 13th day of March, 2023 by Kildare County Council to refuse permission.

Proposed Development: The development will consist of the construction of a 158 bedroom hotel, in a six storey block, over a partial basement, totalling 6,812 square metres with parapet heights between circa 17.23 metres to 23.63 metres depending on the elevation and ground level: (1) A 158 bedroom hotel including a ground floor public bar (circa 100 square metres) and independent café/restaurant (circa 106 square metres) and other ancillary facilities such as a scullery, spa area, storage areas, bin stores, plant rooms, reception area, administration offices including an ESB substation and switch room (circa 20 square metres); (2) a ground floor set down area including one car parking space; (3) a partial basement comprising 59 car parking spaces; (4) a rooftop plant area of circa 285 square metres; (5) a rooftop solar array with an overall area of circa 312 square metres; (6) 20 number bicycle spaces; (7) two number vehicular entrances, one service entrance off the Monasterevin Road (R445) and a car parking entrance/set down area off the

Nurney Road (R415); (8) associated plant, infrastructural connections, boundary works and site development works, all on a site bounded to the north by the Monasterevin Road (R445) and to the west by the Nurney Road (R415), Kildare Townland, Kildare Town, County Kildare.

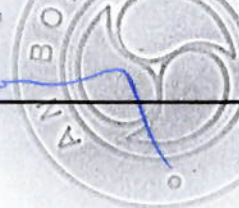

Decision

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 existing use on site, the pattern of development in the vicinity, the planning history of the area, the nature, scale, and design of the proposed hotel development, the Urban Development and Building Height Guidelines for Planning Authorities (2018) and the policies and objectives set out in the Kildare County Development Plan 2023-2029 and Kildare Town Local Area Plan 2023-2029, including the 'K' commercial zoning for the site which seeks 'to protect and improve existing commercial uses and provide for additional commercial developments', it is considered that, by reason of design, in particular the overall elevational treatment which lacks articulation and liveliness, and the interface/engagement with the public realm at ground level, the proposed development does not present an appropriate urban design solution, fails to create a strong urban edge at this location and would seriously injure the visual amenities of the area. The proposed development would not accord with the objectives of the Kildare County Development Plan 2023-2029, specifically objective UD01 (Urban Design), and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature and scale of the proposed development, the Board was not satisfied that proposed access and servicing arrangements, including car parking, had been sufficiently well documented. The Board, therefore, was not satisfied that the proposed development would not endanger public safety by reason of traffic hazard and would not lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to surface water drainage, the Board was not satisfied, based on the limited information provided in relation to attenuation capacity, that surface water can be adequately dealt with within the curtilage of the site, including the use of appropriate SuDS measures. The proposed development would, therefore, be contrary to 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 1st day of August 2024.