



An
Bord
Pleanála

Board Order ABP-317327-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/303

Appeal by John McCormack and Seamus Lowry care of Whyte Planning Consultants Limited of Great Connell, Newbridge, County Kildare against the decision made on the 17th day of May, 2023 by Kildare County Council to refuse permission.

Proposed Development: Demolition of existing two-storey commercial premises, demolition of existing industrial style unit. Permission for the construction of two blocks of apartments, Block A consists of a two-storey building consisting of 10 number one-bedroom apartments. Block B consists of a two-storey building with attic accommodation consisting of 10 number apartments (eight number one-bedroom and two number two-bedroom). Permission for internal access road, connection to public foul sewer and watermain, soakholes, landscaping, bin and bicycle store and all associated site works, all at Dublin Road, Kildare Town, County Kildare.

Decision

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

Reasons and Considerations

1. Having regard to the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2023) issued under section 28 of the Planning and Development Act 2000, as amended, and to the proposed development which would have:

- a predominance of one-bedroom apartment units which does not comply with the unit mix for apartment developments as required under SPPR1 and SPPR2 of the Guidelines, and
- a proposed configuration of the combined living/kitchen/dining rooms of the majority of the one-bedroom apartment units that does not meet the minimum widths for main living/dining rooms as required by the Guidelines,

it is considered that the development, as proposed, would offer a poor standard of living accommodation for future residents, would be contrary to the provisions of the said Guidelines, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would provide an insufficient quantum and quality of cycle parking and car parking spaces to serve future occupants and visitors, and as such, would not comply with the development management standards set out in sections 15.7.2 and 15.7.8 respectively of the Kildare County Development Plan 2023-2029, and with section 5.25 of the Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024). The proposed development would seriously injure the residential amenities of future residents of the proposed development and would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed demolition of the 19th century building fronting onto the Dublin Road which is located within the Kildare Town Architectural Conservation Area (ACA) would have a negative impact on the character of the ACA and the streetscape at this location and would be contrary to Policy AH P9 and Objective AH O55 of the Kildare County Development Plan 2023-2029, and Objective BHO 2.1 of the Kildare Town Local Area Plan 2023-2029, which seek, inter alia, to promote the protection and retention of the built vernacular heritage of the county, to resist the demolition of built vernacular heritage, and to ensure that new development is sympathetic to the character of the ACA. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.


Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 17th day of July 2024.