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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 2360110**

**APPEAL** by Colbid Investment Holdings Limited care of Reid Associates Planning and Development Consultants of 2 Connaught Place, Crofton Road, Dún Laoghaire, County Dublin against the decision made on the 4<sup>th</sup> day of October 2023 by Kildare County Council to refuse permission.

**Proposed Development:** Construction of the following; (i) 96 number individual housing units for the elderly consisting of two bedroom semi-detached single storey bungalows, open space to include proposed wheelchair accessible ecology garden (249 square metres), proposed wheelchair accessible butterfly garden (329 square metres), proposed wheelchair accessible sensory garden (329 square metres), proposed outdoor seating area (134 square metres); (ii) single storey creche (468 square metres) to include four number classrooms, W.C.s, sleep room, staff room, central kitchen, reception, office, store, an associated outdoor play area (1,030 square metres), wheelchair accessible sensory play area (304.6 square metres), building mounted signage (1.8 square metres), boundary treatments, 30 number car parking spaces (inclusive of three number accessible parking spaces) and set down area, covered bicycle stands and outdoor bin storage; (iii) one number five a side football pitch 36.5 metres by

27.5 metres, six number 18 metre high training lights and poles, all fencing and ball stop netting, two metre wide hard standing looped walkway around the perimeter of pitch, coach set down, 15 number car parking spaces and covered bicycle stands; (iv) single storey administration building (63.8 square metres) to include two number offices and W.C. and all associated drainage connection works and site development works including ESB substation and switch room, foul pumping station, foul and surface water drainage, landscaping, path lighting and boundary treatments, at Brallistown, Athy Road, Kildare, 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 current Kildare County Development Plan 2023-2029 Core Strategy, and Kildare Town Local Area Plan 2023-2029, the boundary of which does not extend to include the subject site, the nature of the proposed residential units, childcare facility and playing pitch, and that no statutory zoning currently applies to the subject site, the proposed development would, therefore, materially contravene the Kildare County Development Plan 2023-2029 and be contrary to the proper planning and sustainable development of the area.

2. The Kildare County Development Plan 2023- 2029, Section 3.11.11, outlines the importance of appropriately located residential accommodation for the elderly close to public transport, community facilities retail and other amenities. The development plan's objectives HO021 and HO 022 require residential accommodation for the elderly to be in a central, accessible, convenient location within communities. The application site is a significant remove from Kildare town with poor pedestrian and public transport links therefore the proposed development does not accord with these plan objectives and is contrary to the proper planning and sustainable development of the area.
3. It is considered that the nature of the proposed development, which would result in the significant intensification of use of an access onto the heavily trafficked Regional Road R147 at a point where a speed limit of 60 km/h applies, and in the absence of footpaths and/or cycleways, would endanger public safety by reason of traffic hazard, and the additional and conflicting traffic turning movements generated by traffic, pedestrians and cyclists would interfere with the safety and free flow of traffic on the public road.
4. The proposed residential units, childcare facility and playing pitch on unzoned land outside the boundaries of the defined built-up area of Kildare town, in proximity to a junction on the M7 motorway, would represent a haphazard and unsustainable pattern of development that would prejudice the orderly development of the area, and the policies and objectives to promote compact and sustainable development on appropriately zoned and serviced land within it. Furthermore, it is considered that the additional traffic movements which would be generated would interfere with the free flow of traffic on and would compromise the level of service and carrying capacity of, the road at this location and would fail to protect public investment in the national road network. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The proposed development is contrary to the Kildare County Development Plan, Policy UD01 and Section 15.4.5 and does not accord with the requirements of the Sustainable Residential Development and Compact Settlement Guidelines 2024. This is due to; a lack of a sense of place, the design approach lacking architectural character, the proposed scheme lacks a diverse and innovative mix of housing types, the dominance of car parking, and the lack of detail with regard to the landscaping of the proposed open spaces.



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**Mary Henchy**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 22<sup>nd</sup> day of November 2024.**