



Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 2360171

APPEAL by Maureen Loughlin of 11 Millbrook Villas, Naas, County Kildare and by Others against the decision made on the 22nd day of February 2024 by Kildare County Council to grant, subject to conditions, a permission to Whistlebrook Limited care of Shauna Hewitt of 22 Wicklow Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will comprise four number blocks providing a total of 56 number residential units and three number commercial units. The proposed development will include:

- Blocks A and B (four-storey) consisting of 49 number apartments. Block A will comprise 26 number apartments (15 number one-beds, eight number two-beds and three number three-beds) and a ground floor commercial unit measuring circa 112 square metres. Block B will comprise 23 number apartments (12 number one-beds, and 11 number two-beds) and a ground floor commercial unit measuring circa 84 square metres.
- Block C (three-storey) consisting of three number two-storey, two-bed duplexes above a ground floor commercial unit measuring circa 138 square metres.

- Blocks D and E (three-storey) consisting of four number three-bed semi-detached houses.

All residential units will be provided with private gardens/balconies/terraces facing to the north/ south/ east/ west. New vehicular and pedestrian/cyclist access will be via Corban's Lane to the south-west and a pedestrian/cyclist only access via Corban's Lane between Blocks B and C. Closure of the existing site access to Corban's Lane, removal of on-street car parking and upgrade to the street including provision of a new cycleway. All associated site development works, including 32 number car parking spaces, 140 number cycle parking spaces, open spaces, landscaping, boundary treatments, plant areas, bin stores, and services provision are also proposed, all at Corban's Lane and Millbrook Villas Road, Naas, County Kildare. The site, which is circa 0.5098 hectares, is located to the north and west of numbers 9, 10 and 11 Millbrook Villas and north of Meánscoil Iognáid Rís.

Decision

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

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Reasons and Considerations

1. Having regard to the layout and design of the proposed development it is considered that it would produce a cramped and substandard form of development on this site at a density that would be inconsistent with the prevailing density in the vicinity and exceed the objectives in the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024, and by reason of the topography and the constraints of the site would result in overdevelopment of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the nature and scale of the development proposed, including the commercial use proposed for Block C, the quantum of car parking proposed to the rear of the development and to the location of the site across a transitional area of Zone A -Town Centre and Zone B- Existing Residential/Infill as set out in the Naas Local Area Plan 2021 – 2027, it is considered that the development as proposed would be contrary to the zoning objectives as set out in the Kildare County Development Plan 2023 -2029 and the Naas Local Area Plan and taken in conjunction with the adjoining permitted development, would negatively impact upon residential amenity in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the quantum of development was excessive for the site and would result in a number of the apartments not achieving the standards specified in the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2022. The Board were concerned that the height and extent of the retaining wall did not appropriately deal with the sloping topography of the site and was not responsive to the surrounding residential amenity of the existing and proposed development. The Board was not satisfied that the quantum of car parking arising from the commercial and residential uses of the site would not result in overspill to the roadway and compromise the objective of the Naas Local Area Plan for the re-design of Corban's Lane as an urban street in Core Regeneration Area 3.


Marie O'Connor

Member of An Bord Pleanála

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

Dated this 19 day of February 2025.