



Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23194

APPEAL by Corestone 11 Limited care of Cunnane Stratton Reynolds Limited of Gainsboro House, 24 Suffolk Street, Dublin against the decision made on the 7th day of March 2024 by Kildare County Council to refuse permission.

Proposed Development: Provision of a residential development of 43 number housing units (comprising of 15 number three-bedroom single-storey courtyard houses; four number single-storey four-bedroom courtyard houses; 12 number two-bedroom two-storey houses; 12 number three-bedroom two-storey houses) with 55 number dedicated parking spaces of which there are 45 number for residents, 10 number for visitors, inclusive of three number EV spaces and three number disabled spaces and including bicycle and bin storage, vehicular access from the R418, provision of new access road connecting to existing estate roads (Oak Road and Beech Close), provision of two number pedestrian footbridges and a single new vehicular access over the existing stream, provision of linear park 10 metres either side of the stream, natural play area, attenuation area, pumping station, open space and associated site works over a total application site area of 2.19 hectares. This application is accompanied by a Natura Impact Statement. The proposed development was revised by further public notices received by the planning authority on the 12th day of February 2024 outlining significant further information. The significant further information consists of proposed

amendments with supporting amended plans, drawings and reports for the following: revisions to site layout to include relocation of unit numbers 28, 29, 30, 31, 42 and 43; reduction in the number of two bedroom houses to two number units, increase in the number of three- bedroom units to 39 number units, reduction to two number four-bedroom units, ensuring that the number of housing units proposed remains the same (43 number); replacement of previously proposed single storey courtyard house type with two-storey house types (K, L, M, N and P); introduction of 4 metre wide segregated pavement/cycleway to the north and west boundaries adjoining the L8054 and R418; realignment of two number footbridges and vehicular bridge; relocation of Irish Water pump kiosk; relocation of associated roads and footpaths; increase in shared open space; replacement of a majority of the on-street residential parking with in-curtilage parking to allow overnight charging of electric vehicles (EVs); provision of dedicated EV charging points adjacent to all on-street visitor parking spaces and mobility impaired spaces; splitting of the main attenuation tank into two to facilitate separate drainage for the existing estate; addition of a small attenuation tank to the south of the junction of Beach Close and Beach Drive; additional surface water sewer with hydrobrake and attenuation structure on the western side of the Ballyvass Stream and modifications to the proposed play space, all at Skenagun/Garterfarm, Castledermot, 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 inadequate layout, the proposed development fails to provide for an adequate level of passive surveillance of the proposed linear park, does not comply with the principles of placemaking or provide for a high standard of urban design or architectural expression. *pm*

The developer has not demonstrated that the proposed development complies with Objective UD 01 of the Kildare County Development Plan 2023-2029 and Policy Objective 4.2 (with specific reference to Section 4.4(V)) of the Sustainable and Compact Settlement Guidelines for Planning Authorities, 2024. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the policies and objectives pertaining to Surface Water Management within the Kildare County Development Plan 2023-2029, with specific reference to Objective IN 024 and Objective IN 026, and the Kildare SuDS Guidance Document, which all seeks to ensure that the design of SuDS proposals contribute positively to the design, quality and useability of open space and restrict the use of attenuation tanks under such, it is considered that the proposed design of surface water management, involving the use of three number underground attenuation tanks, would not be an appropriate design response to this specific site and would materially contravene Objective IN 024, would be contrary to Objective IN 026 of the Kildare County Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.



Peter Mullan

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



Dated this 23rd day of December, 2024.