

An
Coimisiún
Pleanála

Commission Order
ABP-320670-24

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Register Reference Number: 24/60560

APPEAL by Patrick J. Tansey care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 1st day of August, 2024 by Kildare County Council to refuse permission.

Proposed Development: Retention permission for the use of the site for commercial use for the parking of trucks and refrigerated container trucks; boundary fencing and electric gate; for steel container containing electrical substation; all associated site works and permission for landscaping (planting) at Naas Industrial Estate, Maudlins, Fishery Lane, Naas, County Kildare.

Decision

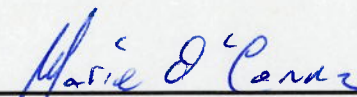
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The development proposed to be retained is located in an area which is zoned for F: Open Space and Amenity in the Naas Local Area Plan 2021-2027 where it is an objective 'to protect and provide for open

space, amenity and recreation provision'. The provision of commercial parking of trucks/refrigeration trucks (Heavy Commercial Vehicles) are neither permissible nor open for consideration within the zoning matrix as indicated in Table 11.3 of the local area plan. The use of this site for the provision of commercial vehicle parking would result in the loss of this site for a use compatible with the zoning objective. The development proposed to be retained would materially contravene the Naas Local Area Plan 2021-2027, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development proposed to be retained is located in an area which is at risk of flooding as indicated in the Naas Local Area Plan 2021-2027 Strategic Flood Risk Assessment. In the absence of sufficient details provided in the submitted Site Specific Flood Risk Assessment, the Commission is not satisfied that the development proposed to be retained would not itself be at risk of flooding, or that it would not give rise to an increased risk of flooding in the area. The development proposed to be retained would be contrary to the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), would be contrary to the overarching flood risk management strategy as set out in the Strategic Flood Risk Assessment of the Naas Local Area Plan 2021-2027, would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.

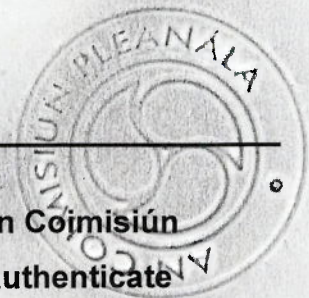


Marie O'Connor

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 01st day of September 2025.