



An
Coimisiún
Pleanála

Commission Order
ACP-322832-25

Planning and Development Act 2000, as amended

Planning Authority: Kildare County Council

Planning Register Reference Number: 2560337

APPEAL by Cairn Homes Properties Limited care of McGill Planning Limited of Iconic Offices, 9 Pembroke Street Upper, Dublin against the decision made on the 27th day of May, 2025 by Kildare County Council to refuse permission.

Proposed Development: Minor amendments to the permitted Large Scale Residential Development (planning register reference number 23/656 and An Coimisiún Pleanála reference number ABP-318365-23) (currently under construction) for the reconstruction of the northern boundary wall between the subject site and Tonlegee Lawns, resulting in the omission of the pedestrian/cycle links as required by condition 3 of the ABP-318365-23 grant of permission. All associated works and landscaping treatments. The remainder of the development will remain as permitted under planning register reference number 23/656 and An Coimisiún Pleanála reference number ABP-318365-23, all at Blackparks, Athy, County Kildare.

Decision

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

Reasons and Considerations

1. It is considered that to permit the development, as proposed, would be contrary to the provisions of national, regional and local planning policies for sustainable and efficient movement within and between areas as it would be contrary to the provisions of The National Planning Framework National Policy Objective 37, the Climate Action Plan 2025, the guiding principles for the integration of Land Use and Transport, as set out in the Regional and Economic and Spatial Strategy 2019-2031, Objectives TM O20 and TM O21 of the Kildare County Development Plan 2023-2029 and Objective MTO 1.6 and Map 1.1 of the Athy Local Area Plan 2021-2027. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the omission of the permitted filtered pedestrian and cycle permeability links from the development site to Tonlegee Lawns would contravene condition number 3 of the planning permission granted under An Coimisiún Pleanála reference number ABP-318365-23, which was applied to encourage and facilitate the use of sustainable modes of transport. The proposed development would set an undesirable precedent, and would, therefore, be contrary to the proper planning and sustainable development of the area.


Mary Henchy

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 9th day of September 2025.