



An
Bord
Pleanála

Inspector's Report ABP-306496 - 20

Development	Demolition of existing buildings including a vacant farmhouse and the construction of 19 no. apartments.
Location	Cois Abhainn, Liffey Lodge, Clane, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	19/208
Applicant(s)	North City Builders Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Observer(s)	None
Date of Site Inspection	7 th May 2020
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site contains a stated area of 0.44 hectares and is located to the south west of 'The Clane Road' (R407), adjacent to Alexandra Bridge on the southern side of Clane, Co. Kildare. The site is an irregular shape though linear along the public road. A two-storey house, which is vacant, and the remains of sheds/ outhouses occupy much of the site.
- 1.2. To the north west of the site is the main access to the Cois Abhainn residential development which consists of a number of apartment blocks and associated car parking/ public open space, located to the south of the subject site. To the west of this residential development and the subject site is a motte which is characterised by its height, trees on the site and surrounding the feature.
- 1.3. To the north and west of the are established residential developments primarily consisting of houses. To the east of the subject site is the River Liffey.
- 1.4. Clane is approximately 8.8 km to the north of the Kildare county town of Naas and is approximately 29 km to the west of Dublin City Centre. Clane is served by Go Ahead Ireland bus routes 120,121 and 123 with an approximately half hourly daytime service, operating between Edenderry to the west and Dublin City Centre. In addition, Route 139, operated by JJ Kavanagh, provides a service between Naas and Blanchardstown via Maynooth.

2.0 Proposed Development

- 2.1. The proposed development consists of the following:
 - The demolition of an existing two-storey house and sheds/ outhouses. Total area to be demolished given as 373 sq m.
 - The development of three apartment blocks A, B and C, providing for a total of 19 apartment units, at a density of 43 units per hectare.

Blocks A and B are four storey, each providing for 6 x two bedroom units and 2 x three bedroom units and Block C is three storey providing for 4 x two bedroom units and 1 x three bedroom units.
 - Total of 19 car parking spaces.

- Associated site works and open space.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission subject to three reasons as follows:

1. The proposed development, by reason of its height, design, scale, bulk, massing, architectural finish and detail and location on a prominent approach road into Clane in a landmark, gateway and riverside setting, and the proposed demolition of the existing vernacular structures on site in close proximity to recorded monuments and protected structures, would materially contravene Objective HO1.2 of the Clane Local Area Plan 2017 – 2023 in relation to the setting of protected structures, would be out of character with the area, would be seriously injurious and detrimental to the visual amenities of the area, and would, therefore be contrary to the proper planning and development of the area. The proposed development would, therefore, be contrary to the objectives of the Clane Local Area Plan 2017 – 2023 and be contrary to the sustainable development of the area.
2. The proposed development, in close proximity to Recorded Monuments and Protected Structures which includes the demolition of a vernacular structure on site, would materially contravene Objectives HO1.3 of the Clane Local Area Plan 2017 – 2023 which seeks to ensure that development proposals are sympathetic to the special character of vernacular structures. The proposed development would, therefore be contrary to the proper planning and sustainable development of the area.
3. The proposed development does not fully comply with the ‘Sustainable Urban Housing: Design Standards for new Apartments Guidelines for Planning Authorities’ issued by the Department of Housing, Planning and Local Government in March 2018 by reason of not meeting the minimum requirements for the quantum of internal storage areas, quantum of aggregate floor areas for bedrooms and the provision of additional car parking in areas of public open space provided as part of the existing residential development

to the south west. Having regard to the above, it is considered that the proposed development would therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report reflects the decision to refuse permission. The Planning Authority Case Officer reports that the site is suitable for development but the scale/ design/ bulk of the development is out of character with the area, would impact negatively on a protected structure and a National Monument and the demolition of a vernacular building was contrary to the Clane Local Area Plan.

3.2.2. Other Technical Reports

Maynooth Municipal District Planning Report: No objection subject to conditions.

Heritage Officer: Further information requested in relation to demonstrating how public access can be made to the Liffey riverbank and to submit an assessment of the impact of the development on Alexandra Bridge.

Water Services: Note the submitted flood risk assessment and have no comment to make on this. No objection to the development subject to recommended conditions.

Roads, Transportation and Public Safety Department: Further information requested in relation to the provision of a parking survey of the existing Cois Abhainn development, bicycle parking details, revised road/ footpath/ layout/ fire vehicle access details, drainage details, a preliminary construction management plan, site lighting information and an acoustic statement demonstrating compliance with the Kildare County Noise Action Plan.

Housing Section: The proposed development is subject to the provision of Part V housing and request that revisions be made to the proposed development by way of a further information request to comply with required standards.

Chief Fire Officer: No objection subject to conditions.

Environment Section: Further information requested demonstrating that the surface water run-off from parking areas be routed through suitable silt traps/ petrol interceptors.

3.2.3. **Prescribed Bodies Reports**

Department of Culture, Heritage and the Gaeltacht (DCHG): Request that pre-development archaeological testing be undertaken. In relation to natural heritage, conditions are recommended.

Note: This report was not on file.

3.2.4. **Objections/ Observations**

An objection was received from the Clane Community Council. In summary the comments included:

- Over-development of the site and out of character with the area at the southern entrance to Clane.
- Planning history and history of the site is provided.
- The proposed development is excessively high and is out of character with its surroundings.
- Potential overlooking, overshadowing and loss of daylight of existing residential units in the area.
- Negative impact on the skyline and on important landmarks in the area. Four storey development is not appropriate here.
- The scale of development proposed is not appropriate for Clane. The subject site is not within a designated Key Development Area as set out in the Clane Local Area Plan.
- Negative impact on the heritage of Clane.
- Loss of the vernacular buildings would have a negative impact on the character/ heritage of Clane.
- Concern raised about flooding in the area.
- Negative impact on the nearby River Liffey.

- Deficiency in sewage capacity in the area.
- Impact would be negative on biodiversity in the area.

4.0 Planning History

There have been a number of applications on this site and the following are considered to be relevant to this appeal:

P.A. Ref. 18320/ ABP Ref. PL09.301836 refers to an October 2018 decision to refuse permission for the demolition of existing structures on the site and to develop 29 no. apartments in one no. three & four storey block on an overall site of 2.29 hectares. Reasons for refusal are as follows:

1. Having regard to the objectives of the planning authority as set out in the current development plan for the area and to the pattern of development in the vicinity, it is considered that, by reason of the design, bulk, footprint and, in particular, the overall elevational treatment which is bland, lacks articulation and liveliness and carries no reference to the existing urban grain of the area, the proposed development would militate against an attractive environment, would be of insufficient architectural quality on a prominent site in this riverside and gateway setting and would seriously injure the visual amenities of the area. The design is not considered to justify the demolition of the existing structures on the site. The proposed development would, therefore, be contrary to the objectives of the development plan and be contrary to the proper planning and sustainable development of the area.

2. The proposed development does not fully comply with the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” issued by the Department of Housing, Planning and Local Government in March, 2018 by reason of not meeting the minimum requirements for the quantum and appropriate location of internal storage areas, the orientation of all terraces/balconies along the northern aspect of the proposed apartment block and the provision of additional car parking in areas of public open space provided as part of the existing residential development to the south and south-west. Having regard to the above, it is considered that the proposed development would, therefore, seriously injure the

amenities of the area and be contrary to the proper planning and sustainable development of the area.

3. The proposed development, in close proximity to recorded monuments and protected structures, would be contrary to objective HO1.2 of the Clane Local Area Plan 2017 – 2023 in relation to the setting of the protected structures, and would thereby seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

P.A. Ref. 05/2369/ ABP Ref. PL09.225918 refers to an April 2008 decision to refuse permission for the demolition of a dwelling and shed and the erection of 30 apartments in 2 no. three storey blocks plus penthouse on the subject site. In summary the reason for refusal referred to a deficiency of sewerage facilities and considered the development premature. The Board noted in their direction, that it shared the concerns of the Inspector with respect to the visual impact of the proposed development, that it was not of a design standard sufficient to justify the demolition of the nineteenth century farmhouse, however as this was considered a new issue the Board decided not to pursue it.

P.A. Ref. 01/2252 refers to a January 2003 decision to grant permission for the development of 11 no. 1 bedroom apartments and 66 no. 2 bed apartments in 4 no. 2 storey and 1 no. 3 storey block. This was subsequently modified by grants of permission: **P.A. Ref. 03/2340** for two no. 2 bed apartments in the roof area of Block 1, **P.A. Ref. 05/1685 and 05/1686** for retention of alterations to Block 2 & 3 and Block 1 respectively. **P.A. Ref. 06/341** refers to a grant of permission for an additional two penthouse apartments in Blocks 2 and 3.

P.A. Ref. 00/397/ ABP Ref. PL09.125501 refers to a November 2001 decision to refuse permission for 22 no. terraced houses, 42 no. apartments and 2 no. 2 storey commercial buildings on the site. Two reasons for refusal were given and in summary are: 1. The design, layout and massing being seriously detrimental to the visual amenities of the area, having particular regard to the riverside setting,

proximity to the motte and strategic location at an important entrance to Clane and 2. referred to issues with the public notices.

5.0 Policy and Context

5.1. Development Plan

5.1.1. Clane is designated as a Small Town in the County Kildare Settlement Hierarchy contained within the Kildare County Development Plan 2017 - 2023.

5.1.2. The Settlement Strategy allows for a targeted population increase from 6,702 in 2011 to 7,668 in 2023.

5.1.3. Section 1.1.4 of Volume 2 of the Development Plan includes the following policy:

‘STP 1 Monitor carefully the scale, rate and location of newly permitted developments and apply appropriate development management measures to ensure compliance with the Core Strategy including population targets for each small town; and to achieve the delivery of strategic plan led and coordinated balanced development throughout the planning area’.

and

‘The development of the small towns will be governed by the overarching policies and objectives of the relevant chapters within this Plan together with the relevant development management standards outlined in Volume 1, Chapter 17 of the Plan’.

5.2. Clane Local Area Plan 2017 - 2023

5.2.1. A local area plan for Clane came into force in June 2017. Designated as a Small Town, its function is to develop as a key local centre for the provision of necessary services, with levels of growth to cater for the local need at an appropriate scale, and also to support local enterprise that caters for local demand. The following statements from the plan are relevant:

‘The Clane Local Area Plan includes a total of 49.1 hectares of undeveloped residentially zoned land. The housing capacity of these lands is estimated to be c. 1,026 residential units’. ‘This capacity is adequate to deliver the Core Strategy

allocation of 780 housing units over the Local Area Plan period and includes additional capacity for 246 housing units. This supports an adequate supply of housing over the Plan period and provides a level of headroom in the event that some of the identified housing lands do not come forward for development during the Plan period'. 5 Key Development Areas (KDA) are identified and do not include the subject site.

Chapter 6 refers to Housing and Community and Section 6.3 'Residential Density, Mix and Design'.

Chapter 10 refers to Heritage and Amenity. Included is a section from the Kildare County Development Plan 2017 – 2023, as it relates to Protected Structures in Clane. Alexandra Bridge has Record of Protected Structures number B14.63 and the Motte Monument is referenced as B14.68. Relevant objectives in Chapter 10 include:

HO1.1 *To ensure the protection of all structures (or parts of structures) and the immediate surroundings including the curtilage and attendant grounds of structures contained in the Record of Protected Structures.*

HO1.2 *To ensure that all development proposals that affect a Protected Structure and its setting, including proposals to extend, alter or refurbish any Protected Structure, are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the principles of conservation best practice set out in the Architectural Heritage Guidelines for Planning Authorities, DAHG, 2011.*

HO1.3 *To encourage the protection and retention of vernacular heritage and to ensure that development proposals are sympathetic to the special character of vernacular structures.*

A number of Maps are included with the local area plan and the following are relevant to this site:

Map 8.1 - Movement Objectives Map. A pedestrian bridge is indicated to the north of the subject site/ Alexandra Bridge. An Access to the Liffey is indicated running through the site.

Map 9.1 - Strategic Flood Risk Assessment Recommendations indicates that the southern part of the site is within Flood Risk Zone A and B.

Map 10.1 - Zone of Archaeological Potential, RMP and RPS – B14.63 refers to Alexandra Bridge, which is on the list of Protected Structures. The Motte to the west is a recorded monument – KD014-026004 refers and KD014-026009 refers to a Holy Well to the west of the site. The motte is also included on the list of Protected Structures – B14.68.

These structures are not on the subject site; however, they and the subject development site are within an area designated as a Zone of Archaeological Potential.

Map 11.1 – Green Infrastructure Map – Southern part of the site is indicated as a Key Green Infrastructure Area.

Map 13.1 - Land Use Zoning Objectives Map

The site is zoned as follows:

B: 'Existing Residential/ Infill' – Majority of the site.

F: 'Open Space and Amenity' – North Eastern side of the site, along the public road and attaching to an area along the riverside, outside of the subject site.

5.3. National Guidance

5.3.1. National Planning Framework – Project Ireland 2040

The National Planning Framework (NPF) recommends compact and sustainable towns/ cities and encourages brownfield development and densification of urban sites. Policy objective NPO 35 recommends increasing residential density in settlements including infill development schemes and increasing building heights.

Other relevant policies from the NPF include the following:

- NPO 6 – Regenerate/ rejuvenate cities, towns and villages.
- NPO 13 – Relax car parking provision/ building heights to achieve well-designed high-quality outcomes to achieve targeted growth.

5.3.2. Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (DoEHLG, 2009) and its companion, the Urban Design Manual - A Best Practice Guide (DoEHLG, 2009).

These Guidelines promote higher densities in appropriate locations. A number of urban design criteria are set out, for the consideration of planning applications and appeals. Quantitative and qualitative standards for public open space are recommended. Increased densities are to be encouraged on residentially zoned lands, particularly city and town centres, significant 'brownfield' sites within city and town centres, close to public transport corridors, infill development at inner suburban locations, institutional lands and outer suburban/greenfield sites. Higher densities must be accompanied in all cases by high qualitative standards of design and layout.

5.3.3. Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (DoHPLG, 2018).

These guidelines provide for a range of information for apartment developments including detailing minimum room and floor areas.

5.3.4. The following are also relevant:

- **Design Manual for Urban Roads and Streets (DMURS).**
- **Permeability Best Practice Guide (NTA, 2015).**

5.4. Natural Heritage Designations

The subject site is not located within any Natural Heritage designated lands. Ballynafagh Bog (Site Code 000391) which is a Special Area of Conservation and a Proposed Natural Heritage Area, is located 5.6 m to the west/ north west of the subject site. There is no designation on the River Liffey at this point.

5.5. EIA Screening

Having regard to the nature of the proposed development comprising a residential development of 19 units in the form of apartments including all necessary site works, in an established zoned, urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has engaged the services of Tom Phillips & Associates to appeal the decision of Kildare County Council to refuse permission for the development of apartments on this site.

The grounds of appeal can be summarised as follows:

- Regard has been had to the previous applications on this site and the decisions issued by An Bord Pleanála.
- The number of units has been reduced from 29 to 19 and the design revised from a single linear block to three separate blocks. Revisions have been made to the material types, location of balconies, car parking has been reduced and a pedestrian footpath will be provided along the northern façade to make a link to the river.
- Revisions have been made to the proposed development to ensure that all apartments comply with relevant guidelines with respect to room sizes, storage provision etc. These were submitted in support of the appeal.
- It is considered that undue weight was afforded to Clane Local Area Plan policies in respect of the setting of protected structures and insufficient consideration for the appropriateness of this development.
- The site is in an appropriate location for development and is within walking distance of the town centre and public transport provision.
- The development would not have a negative impact on the visual amenity of the area.
- The development will provide for a high-quality access to the river.
- There is no demand or requirement for childcare provision. A survey was undertaken, and it was found that existing childcare facilities have spare capacity.
- An Appropriate Assessment Screening has been undertaken by Openfield Ecological Services and it was found that Stage 2 Appropriate Assessment was not necessary.

- In addition to the AA Screening prepared by Openfield Ecological Services, supporting documentation has been included in the appeal from IAC Archaeology, Historic Building Consultants and Transport Insights.

6.2. **Planning Authority Response**

The Planning Authority have noted the first-party appeal and consider that as the applicant has not addressed the reasons for refusal as issued, they request that the decision to refuse permission be upheld.

6.3. **Observations**

An Taisce commented that any development here should enhance the setting of the recorded monument – the motte and Alexandra Bridge. Notes the comments regarding the local importance of the existing buildings as provided by Clane Community Council.

7.0 **Assessment**

7.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Traffic and Access
- Drainage and Water Infrastructure
- Other Issues
- Appropriate Assessment Screening

7.2. **Principle of Development**

7.2.1. The site is zoned for a mix of residential development and open space/ amenity use and is located within the established urban area of Clane. The principle of a residential development on this site is accepted by the Planning Authority Case

Officer and I would also be of the opinion that the site is suitable for residential development.

- 7.2.2. The proposed density is circa 43 unit per hectare, and I consider this to be acceptable and within the range expected for a settlement of this size with a reasonable public transport provision. The subject development would go some way towards meeting housing and population targets for Clane/ County Kildare.

7.3. **Design and Impact on the Character of the Area**

- 7.3.1. The subject site is restricted by the location and quantity of Open Space & Amenity zoning and by the actual site layout. There is a potential for flooding indicated to the eastern section of the site, though this area is zoned for Open Space & Amenity uses. The site is located within a zone of archaeological potential and national monuments and protected structures are adjacent to the site. The site is linear, and the maximum width is circa 65 m. I therefore accept that this restricts the development potential of the site and also limits the architectural choices that can be proposed. However, the application was aware of these issues and the proposed development was submitted in response.
- 7.3.2. The Planning Authority Case Officer emphasises the importance of this location as a landmark on the approach to Clane and adjacent to the Alexandra Bridge. The applicant has submitted revised photomontages in support of the appeal. I would agree that the site is locally/ visually important and should be suitably developed. However, the submitted proposal is akin to a commercial office development, as suggested by the Planning Authority Case Officer, and is not appropriate to this location. The submitted photomontages reinforce this opinion. The existing development of apartments to the south west, consists of two/three storey units with pitched roofs and primarily finished in render, the use of brick is limited here. The house proposed for demolition is also similarly finished and I note that stone is used in the area, most notably in the construction of Alexandra Bridge and its approaches.
- 7.3.3. The provision of three separate blocks instead of one linear block is welcomed, however the benefit of this to the setting is lost as the separation distance between the blocks at less than 7 m does not provide for an easily discernible visual separation, when passing the site. The massing here is more effectively broken up by the variation in heights rather than the use of separate blocks. Overall, I do not

consider the proposal to be an appropriate design solution for this location. The design/ finish of the building appears to be an attempt to provide for a radically different structure to its surroundings, however I do not consider this approach to be acceptable in this location. The development remains bulky having regard to the previous proposals for this site and the finishes/ architectural design is not appropriate having regard to the existing character of the area.

- 7.3.4. The existing house on site is not afforded any protection in the county development or local area plan other than by way of Objective HO1.3 of the Clane Local Area Plan 2017 – 2023, 'To encourage the protection and retention of vernacular heritage and to ensure that development proposals are sympathetic to the special character of vernacular structures'. This is noted. The objective supports rather than requires the protection/ retention of vernacular heritage and therefore the demolition of this house may be acceptable. The applicant has not proposed a suitably high quality of development on this site, that would be acceptable for the demolition of this house. In addition, I consider that it should be possible to incorporate this house and even parts of the outhouses etc. into a redevelopment of this site at a similar density to that proposed. Similar types of development incorporating vernacular buildings have been successfully completed throughout the country.

7.4. Impact on Residential Amenity

- 7.4.1. Having regard to the layout and location of the proposed development, which is north/ north east of the existing apartments, I do not foresee any concern regarding overlooking leading to a loss of privacy or overshadowing leading to a loss of daylight/ sunlight of existing residential units arising from this development. Existing residential units to the north of the site will not be negatively impacted by this development.
- 7.4.2. The Planning Authority outlined a number of issues in Reason 3 of the decision to refuse permission that relate to residential amenity. The applicant in support of their appeal, has submitted revised floor plans and elevations to address these issues. The width of Block A/ B and Block C have each been increased by 300 mm, thereby increasing the floor areas and private amenity space provision. These alterations are not significant as to require revised public notices.

- 7.4.3. Some of the revised storage provision is somewhat contrived such as including bedroom areas for storage, however overall storage is acceptable. I am satisfied that the three apartment blocks will provide for a suitable level of residential amenity. Units are dual/ triple aspect with a central lift/ stair core providing access to each floor to/ from the ground level. Apartments are provided with open balconies/ terraces and winter gardens and as these are south facing, the level of amenity afforded to residents will be of a high quality.
- 7.4.4. The applicant has proposed an adequate amount of public amenity/ communal open space to serve this development, much of this is provided in the existing development. A new footpath will provide a link along the public road to the riverside, this is in accordance with the Clane Local Area Plan. The existing stone wall along the roadside is to be retained and the new footpath will be on the inside/ southern side of this wall.

7.5. Traffic and Access

- 7.5.1. The existing access will be used to serve this development. Existing footpaths will also be used to provide access to the development and will be extended where this is necessary.
- 7.5.2. A total of 19 car parking spaces are proposed to serve this development, one per apartment. Nine of these spaces are in-situ, serving the existing development with only 10 new spaces proposed. I note that the Kildare County Council Transportation Department sought further information including a parking survey of the existing development. I have had full regard to local and national policy that seeks to reduce car parking provision, however the provision here appears to be at the bare minimum and no visitor parking is proposed. Despite what is said in the appeal report, some open space will be lost through the provision of car parking and whilst this is off-set by open space elsewhere, the parking adjacent to Block 3 of the existing development may impact negatively on the residents of this block.
- 7.5.3. Good practice is for car parking to be adjacent or at least be visible from the unit it serves. I cannot be certain that this would be the case for the parking to the west of existing Block 3 and which all cannot be visible from Block B which I assume they serve. This is not a traffic hazard or congestion issue but does again suggest a lack

of consideration in the design of the development which in turn provides for a poor level of residential amenity for future residents.

7.6. Drainage and Water Infrastructure

- 7.6.1. I note that no report has been received from Irish Water, however I do not foresee any concerns regarding water supply or foul drainage as the site can be served by public services in this regard.
- 7.6.2. Suitable on-site surface water drainage systems have been proposed to serve this development which are to the satisfaction of the Kildare County Council Water Services Department. The proposed use of sedum in the roofing of the development is to be welcomed.
- 7.6.3. The applicant engaged the services of Molony Millar Consulting Civil and Structural Engineers to prepare a Flood Risk Assessment. Measures have been proposed in this report including the setting of ground floor levels to be 66.4 m and provision of suitable attenuation on site. The report concludes ‘..that there will be no Flood Risk to this development’.

7.7. Other Issues

- 7.7.1. The Planning Authority in their second reason for refusal references the proximity of the development to protected structures and recorded monuments. I note the report from the Department of Culture, Heritage and the Gaeltacht and the full impact on recorded monuments may only be ascertained at the conclusion of suitable archaeological testing of the site. However, I do not foresee that the development will directly impact upon the nearby motte or holy well. For the reasons already outlined in this report, the design of the development is considered to be inappropriate in this location and is likely to negatively impact on the setting and character of Alexandra Bridge, which is a protected structure and is therefore contrary to Objective H01.2 of the Clane Local Area Plan.
- 7.7.2. As already stated in this report, I am satisfied that a residential development with a density similar to that proposed can be proposed and provided on this site. The current proposal does not provide for such a suitable development. I note the comments made in the appeal report that the applicant is disappointed that the Planning Authority did not afford them the opportunity to address matters by way of

further information especially 'in relation to the size of internal storage areas and quantum of aggregate floor areas for bedrooms'. These were not the primary concerns of the Planning Authority and I am somewhat surprised that these issues had to be raised by the Planning Authority as the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities are in force since 2018 and clearly set out the minimum standards required. I note that these issues were raised during a pre-planning meeting dated 27th of June 2019.

- 7.7.3. Considering the history of the site it is surprising that such matters were not afforded greater consideration by the applicant. Further information should only be sought to provide the Planning Authority with additional details to assess the application or else revisions to the design; I consider that a further information request from the Planning Authority was not necessary in this case.

7.8. Appropriate Assessment Screening

- 7.8.1. A screening report was submitted in support of the appeal, prepared by Openfield Ecological Services. The AA Screening report concluded that significant effects are not likely to arise, either alone or in combination with other plans or projects to any SAC or SPA.
- 7.8.2. The proposed development is located within an established urban area on zoned lands that are suitably serviced. It is reasonable to conclude, on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on any Natura 2000 designated sites. A Stage 2 Appropriate Assessment is, therefore, not required.

8.0 Recommendation

I recommend that planning permission should be refused for the reasons and considerations as set out below.

9.0 Reasons and Considerations

1. Having regard to the prominent location of the site, to the established built form and character of the Sallins Road, Clane, and to the existing buildings on the site, it is considered that the proposed development, consisting of apartments in three

blocks of three to four storey, would be incongruous in terms of design and material finishes, would be out of character with the streetscape and would set an undesirable precedent for future development in this area. The proposed design is not considered to justify the demolition of the existing structures on the site. The proposed development would seriously injure the visual amenities of the area, would be contrary to the stated policy of the planning authority, as set out in the current Kildare County Council Development Plan and the Clane Local Area Plan, in relation to urban development and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, in close proximity to recorded monuments and protected structures, would be contrary to objective HO1.2 of the Clane Local Area Plan 2017 – 2023 in relation to the setting of protected structures, and would thereby seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul O'Brien
Planning Inspector

12th May 2020