



## Board Direction

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**Ref: PL09.245471**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20<sup>th</sup> January 2016. The Board decided to refuse permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons and considerations set out below.

### REASONS AND CONSIDERATIONS

1. The subject site is location in an Area under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government (2005) and in Rural Housing Policy Zone 1, as set out in Map 4.1 of the Kildare County Development Plan 2011-2016, where housing is restricted to persons demonstrating local need in accordance with the provisions of rural housing policy RH4 of the Plan. It is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a rural house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in this area and the inefficient provision of public services and infrastructure, would materially contravene the provisions of the Guidelines and of the Development Plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Policy RH5 of the Kildare County Development Plan 2011 – 2017 seeks to ensure that development complies with normal siting and design considerations, including the capacity of the area to absorb further development. Policy RH11 of the Kildare County Development Plan 2011 – 2017 seeks to control the level of piecemeal and haphazard development of rural areas close to urban centres and settlements. Having regard to the planning history in the vicinity of this site, and the emerging pattern of random residential development in this area, the Board considers that the proposed development would contribute to an increasing pattern of suburbanisation in a rural area that is under significant development pressure, would constitute backland development that would be out of character with the existing pattern of rural development, would exacerbate an emerging linear pattern of development in this area, and would, therefore, contravene the provisions of Policies RH5 and RH11 of the Development Plan, and would be contrary to the proper planning and development of the area.

3. Having regard to the planning history of the site and in the vicinity, the nature of the fill material constituting the ground conditions on site, the variation in soil test results evident on planning history files on this site and in the vicinity, the proliferation of waste water treatment plants in the area and their proximity, the proximity of a well, and the identification of this area by the Environmental Protection Area as being at very high risk from domestic waste water pollution, it is considered that the proposed development would be prejudicial to public health and would give rise to a risk of environmental pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
4. Having regard to the nature, scale, height, massing and design of the proposed development, including the complex form and roof profile with multiple gable end projections, and the array of fenestration proposed, it is considered that the proposed development would fail to integrate appropriately with its physical surroundings, would contravene the provisions of the Rural Design Guidelines set out in the Kildare County Development Plan 2011 – 2017, and would, therefore contravene the provisions of Policy RH 5 of the Plan in these respects. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Note:*

The Board noted the sole reason for refusal under PL09.209827, and the reason given by the Board for not accepting the Inspector's recommendation in its entirety; however, the Board considered that the circumstances of the current appeal were materially different, and that those reasons do not apply in this case.

Board Member: \_\_\_\_\_ Date: 20<sup>th</sup> January 2016  
Fionna O' Regan