



Board Direction

Ref: PL09.246935

The submissions on this file and the Inspector's report were considered at a Board meeting held on 7th November 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. Having regard to the location of the site within 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 in April 2005, and in an area where housing is restricted to persons demonstrating local need in accordance with the Kildare County Development Plan 2011 - 2017, the Board is not satisfied on the basis of the documentation submitted on file that the applicant comes within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of an identified locally-based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the provisions of the Guidelines and of the Development Plan, and would be contrary to the proper planning and sustainable development of the area.
2. It is the policy of the planning authority as set out in the Kildare County Development Plan 2011 – 2017 to control urban sprawl and ribbon development. This policy is considered to be reasonable. The proposed development would be in conflict with this policy when taken in conjunction with existing and permitted development in the vicinity of the site, would consolidate and contribute to the build-up of ribbon development in an open rural area, and would constitute the overdevelopment of the original landholding. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. It is considered that, by reason of its mass, scale and bulk, the proposed development would be visually obtrusive and out of context on the appeal site, and would be out-of-keeping with the character of development in the area. The proposed house would, therefore, seriously injure the visual amenities of the area, would fail to comply with the landscape protection policies set out in the Kildare County Development Plan 2011 – 2017, would contravene the Rural Design Guidelines set out in Chapter 16 of the Plan, and Section 16.4.2 in particular in relation to scale, form and proportion, and would be contrary to the proper planning and sustainable development of the area.

Note:

The Board had serious concerns in relation to the proposal to dispose of foul effluent on site in light of the excessive concentration of development in this area served by individual on-site waste water treatment systems, and in view of the classification of this area by the Environmental Protection Agency as being at very high risk from domestic waste water pollution; however, it was considered that this would constitute a new issue in the context of the appeal, and having regard to the substantive reasons for refusal, the Board decided not to pursue this matter further.

Please issue a copy of this Direction with the Board Order.

Board Member: _____ Date: 21st November 2016
Fionna O' Regan