



An  
Bord  
Pleanála

**Board Direction**  
**BD-004894-20**  
**ABP-304837-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/01/2020.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. The site of the proposed development is located within an "Area Under Strong Urban Influence" as set out in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April 2005 and within an area that is designated as an 'Area Under Urban Influence' in the Kilkenny County Development Plan 2014-2020. Furthermore, the subject site is located in an area that is designated as an area under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area and having regard to the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the application and appeal, including the stated current employment of the applicants, the Board is not satisfied that the applicants have a demonstrable economic or social need to live in this rural area, or that the housing need of the applicants could not be met in a smaller town or rural settlement. It is considered, therefore, that the applicants do not come within the scope of the

housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would be contrary to the Ministerial Guidelines and to the over-arching national policy, notwithstanding to the provisions of the Kilkenny County Development Plan 2014-2020 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within an upland area forming part of the 'South-eastern Hills' as designated in the Landscape Character Assessment set out at Figure 8.2 of the Kilkenny County Development Plan 2014-2020. The appeal site occupies an open and visually exposed site within a visually attractive and scenic landscape. It is considered that the proposed development by reason of its position, form and scale would result in serious injury to the visual amenities of the area by reason of visual intrusiveness and would contravene policy as set out at Section 8.2.10.6 of the Kilkenny County Development Plan 2014-2020, which relates to the protection of scenic amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 13/01/2020

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Chris McGarry