



An  
Bord  
Pleanála

**Board Direction**  
**BD-007307-21**  
**ABP-308128-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/01/2021.

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

### **Reasons and Considerations**

1. Having regard to the location of the site within Rural Housing Policy Zone 1 of the Kildare County Development Plan 2017-2023, and to national policy as articulated in National Policy Objective 19 of the National Planning Framework and the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, as well as Regional Policy Objective RPO 4.80 of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the development plan for a house at this location. Furthermore, it is considered that the applicants have not sufficiently demonstrated an economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with RPO 4.80 and NPO 19. In the absence of any identified and justified locally-based need for the dwelling, the development would contravene local, regional and national housing policy objectives and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Taken in conjunction with existing and permitted development in the vicinity and taking into consideration the degree of existing ribbon development in the area, it is considered that the proposed development would contribute to urban generated residential sprawl in this area, would further exacerbate existing ribbon development along this section of roadway, would contribute to the encroachment of random development in this rural area, would militate against the preservation of the rural environment and would lead to an inefficient and uneconomic demand for the provision of services in this rural area, in contravention of policies RH9 and RH12 of the Kildare County Development Plan 2017-2023. The proposed development would, therefore, be contrary to the proper planning and sustainable development of this area.
  
3. Having regard to the ground conditions and high water table, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a wastewater treatment system and raised polishing filter. Given the lack of public wastewater treatment capacity in the area and the proliferation of proprietary wastewater treatment systems in the area, the proposed development would, therefore, be prejudicial to public health and could increase the risk of pollution to groundwater and surface waters.

**Board Member**

**Date:** 15/01/2021

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Dave Walsh