



An
Bord
Pleanála

Board Direction
BD-007724-21
ABP-308161-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/03/2021.

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 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, wherein it is policy to distinguish between urban-generated and rural generated housing need, and having regard to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy 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...having regard to the viability of smaller towns and rural settlements", it is considered that the applicant has not demonstrated that he comes within the scope of the housing need criteria as set out in the Guidelines and has not demonstrated an economic or social need to live in this rural area in accordance with national policy. Furthermore, the Board is not satisfied on the basis of the information on the file, including the location of the applicant's workplace in New Ross, Co. Wexford, that the applicant's housing needs could not be

satisfactorily met in an established smaller town or village/settlement centre. The proposed development, in the absence of any definable or demonstrable based need for a house in this rural area, 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. Accordingly, the proposed development would be contrary to the provisions of the 2005 Guidelines and would also be contrary to National Policy Objective 19 of the National Planning Framework notwithstanding the provisions of the Kilkenny County Development Plan 2014-2020. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the access for the proposed development being located on a narrow public laneway which the Board considered was not adequate to cater for the additional traffic associated with a rural dwelling, the Board considered that the proposed development would be haphazard in nature, would set an undesirable precedent for further dwellings along the laneway, and would not be acceptable in terms of pedestrian and traffic safety. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

Note: Notwithstanding the provisions of the Kilkenny County Development Plan 2014-2020, the Board noted the applicant's employment in New Ross town, which according to the applicant is a thirty -minute commute from Luffany and agreed with the Inspector that this did not represent sustainable travel from the rural area. Notwithstanding the provisions of the Kilkenny County Development Plan 2014-2020, the Board was not satisfied that the applicant had a social need to live in this particular rural area that could not be met satisfactorily met in an established smaller town or village/settlement centre. The Board was satisfied that the proposed development was not in accordance with National Guidelines and Policy, and that the proposed

development would, therefore, be contrary to the proper planning and sustainable development of the area.

Copy of Board Direction to issue with the Board Order.

Board Member

Date: 16/03/2021

Maria FitzGerald