



An
Bord
Pleanála

Board Direction
BD-008839-21
ABP-309900-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/08/2021.

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

Reasons and Considerations

1. Policy RH2 of the Kildare County Development Plan 2017 – 2023 seeks to manage the development of one-off housing in conjunction with the Rural Housing Policy Zone Map (Map 4.4) and accompanying schedules of category of applicant and local housing criteria set out in Table 4.3 of the Plan. To this end, the plan requires that documentary evidence of compliance with the Rural Housing Policy must be submitted as part of the planning application for development in rural nodes such as Tirmoghan. In the absence of documentation demonstrating compliance with local needs considerations, the proposal would be contrary to the aforementioned policy, would set an undesirable precedent for similar development of this nature in rural locations and would therefore be contrary to the proper planning and sustainable development of the area.

Policy RH13 of the Kildare County Development Plan seeks to facilitate the provision of recessed clusters of dwellings, subject to normal planning siting, design and local needs considerations. In the absence of documentation demonstrating compliance with local needs considerations, the proposal would be contrary to the aforementioned policy, would set an undesirable

precedent for similar development of this nature in rural locations and would therefore be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed proprietary wastewater treatment systems to serve the individual dwelling houses would be prejudicial to public health on the basis of the poor percolation characteristics of the ground and the high water table on site which renders the subject site unsuitable for the on-site treatment and disposal of effluent from the development notwithstanding the proposed use of a proprietary wastewater treatment system.

3. Having regard to the location of the site in an area which is prone to flooding, and on the basis of the submissions on file the Board is not satisfied that the proposed development would not give rise to an increased risk of flooding of property in the vicinity. The proposed development would therefore be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Board Member



Terry Ó Niadh

Date: 05/08/2021