

An  
Bord  
Pleanála

**Board Direction**  
**BD-015645-24**  
**ABP-315987-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/02/2024.

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

### **Reasons and Considerations**

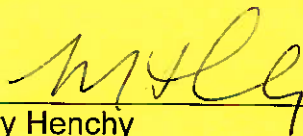
Having regard to the location of the site in an unserviced rural area under urban influence, and to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has demonstrated compliance with the qualifying criteria for rural housing of economic or social need as per Section 7.8.4 of the Kilkenny City and County Development Plan 2021-2027 or with National Policy Objective 19 of the National Planning Framework 2018 and the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, based on the core consideration of demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. Accordingly, the Board is not satisfied that the applicant, has provided sufficient justification for a rural housing need to live in this rural area. In the absence of a sufficient justification, it is considered that the proposed development would contribute to the development of random rural housing in the area and would militate against the preservation of the rural environment and the efficient provision of public services

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

Note: The Board noted the Inspectors other reasons for refusal. The substantive reason for refusal is the reason given above, regarding the other reasons recommended by the Inspector, the Board considered:

- Ribbon development, the Board noted Section 7.8.3 of the Kilkenny City and County Development Plan and the Planning Authority's assessment that consideration may be given for an infill development, subject to satisfying all other development plan standards. As the applicant has not demonstrated compliance with the qualifying criteria for Rural Housing, as set out in Section 7.8.4 of the Plan the Board were not satisfied that it is appropriate to use the discretion provided by the Plan to allow "well-spaced infill ribboning to complete a particular settlement pattern".
- The Board noted the applicant's response to the Further Information requested regarding groundwater in the vicinity of the site and the Planning Authorities assessment of same. The Board noted the well tested relative to the location of the site and considered the information provided by the applicant was limited, the Board considered this matter would benefit from more detailed assessment having regard to the extent of development in the area.

**Board Member**

  
\_\_\_\_\_  
Mary Henchy

**Date:** 01/03/2024