

An
Coimisiún
Pleanála

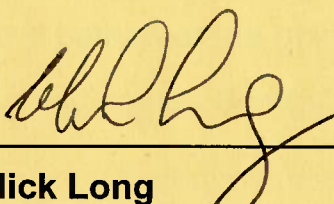
Commission Direction
CD-001398
PL-501414-KE-26

The submissions on this file and the Inspector's report were considered at a meeting held on 09 October 2026.

The Commission decided to make a split decision, to

1. GRANT permission for retention of an existing septic tank and percolation area based on the reasons and considerations marked (1) under and subject to the conditions set out below.
2. REFUSE permission for retention of a single storey gym building along with permission for a proposed single storey link connection to join existing dwelling, single storey gym building, and art studio together based on the reasons and considerations marked (2) under generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning Commissioner:


Mick Long

Date:

9th day of October 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations (1)

Having regard to the rural location of the site and its characteristics, the details of the on-site wastewater treatment system proposed to be retained, and the policies and objectives of the Kildare County Development Plan 2023-2029, and in particular Planning Policy HO P27 and Objective IN 018, which require all domestic wastewater treatment systems to comply with the EPA's Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Houses ($pe \leq 10$), (2021), it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not endanger public health or adversely impact on water quality in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The wastewater treatment system shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 26th day of May, 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The wastewater treatment system proposed to be retained shall be in accordance with the recommendations included in the site characterisation report submitted with the application and shall be in

accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.

(b) Treated effluent from the wastewater treatment system shall be discharged to a polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)” – Environmental Protection Agency, 2021.

(c) Within three months of the date of this Order, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/ wastewater treatment system and associated works is operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

Reasons and Considerations (2)

Having regard to the form and scale of the proposed development for a gym building and link structure ancillary to the main house in a rural area, and the policies and objectives of the Kildare County Development Plan 2023 -2029, specifically Section 15.4.13, which seeks to accommodate buildings ancillary to the main residential use, it is considered that, by reason of its excessive scale, floor area and flat roof finish, the proposed development would not be in keeping with the dwelling house and art studio, and that the exceptional need outlined would not justify the haphazard form of the development proposed, would be contrary to the provisions of the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.