

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/703

An Bord Pleanála Reference Number: PL 09.246026

APPEAL by Ann McDonald care of Vincent J P Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 10th day of December, 2015 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a two-storey dwellinghouse, domestic garage, a proprietary wastewater treatment system and percolation area and all associated and necessary site works at Johnstown South, Maganey, County Kildare.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. Taken in conjunction with existing and permitted development on the applicant's family landholding and in the area, the proposed development would contribute to the dispersed location of rural housing on the landholding using road frontage and carving sites out of larger fields, which would be contrary to the provisions of the Rural Design Guidance in the Kildare County Development Plan 2011-2017. The proposed dwelling, by reason of its siting would militate against the preservation of the rural environment, would reduce the sustainable use of the landholding at this location for agricultural purposes, and would lead to demands for the provision of further public services and community facilities in an area where these are not proposed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that, by reason of its mass and bulk, the proposed two-storey house would be visually obtrusive in this open rural area, would seriously injure the visual amenity of this rural area, would be contrary to the Rural Design Guidelines as outlined in Chapter 16 of the Kildare County Development Plan and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.