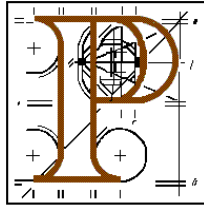


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Kildare County**

**Planning Register Reference Number: 15/938**

An Bord Pleanála Reference Number: PL 09.246062

**APPEAL** by Adrian Kelly care of Maguire and Associates of 6 Railway Terrace, Dublin Road, Naas, County Kildare against the decision made on the 15<sup>th</sup> day of December, 2015 by Kildare County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Retention of change of use of domestic garage (circa 167 square metres) to residential and the construction of a circa two metres high wall along northern boundary of site. Permission for demolition of existing shed (circa 424 square metres) on site, works to the former domestic garage structure comprising minor modifications to elevations at side and rear, the construction of a porch (circa two square metres) to front elevation, the construction of a vehicular access to main road, new effluent treatment system, landscaping and all associated site works, all on a site (circa 249 hectares) at Duneany, Kildare, 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**

The subject site is located in the Rural Housing Policy Zone 2, as set out in Map 4.1 of the Kildare County Development Plan 2011-2017. It is the policy of the planning authority to channel housing into serviced centres and to restrict development in rural areas to serve the needs of those engaged in agriculture and in other rural activities, as set out in policies RH 4 and RH 5 of the Development Plan. These policies are considered reasonable. It is considered that the applicant does not come within the scope of the housing need criteria for Rural Housing Policy Zone 2, as specified in Table 4.3 of the Development Plan. Taken in conjunction with existing development in the area, the retention of this garage which is not authorised and its use for residential purposes would give rise to an excessive density of development in a rural area lacking certain public services and community facilities and served by a poor road network. Furthermore, the development proposed to be retained would contribute to ribbon development in this area, lead to demands for the uneconomic provision of further public services and communal facilities in an area where these are not proposed and would interfere with the rural character and attractiveness of the area. The proposed development and the development proposed to be retained would, therefore, contravene policies RH 5, RH 11 and RH 12 as set out in the Development Plan and would 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.**