

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/526

An Bord Pleanála Reference Number: PL 09.246187

APPEAL by Johanna Doyle care of Derek Whyte of Great Connell, Newbridge, County Kildare against the decision made on the 27th day of January, 2016 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of detached two storey house, single storey domestic garage, single storey stable block, secondary effluent treatment system and all associated site works at Oldtown, Athgarvan, 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. Having regard to the location of the site within an "Area Under Strong Urban Influence" as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the current Kildare County Development Plan, it is considered that, the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would be contrary to the said Ministerial guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Taken in conjunction with existing and permitted development in the area, the proposed development would give rise to an excessive density of development in a rural area lacking certain public services and community facilities. It is an objective of the planning authority, as expressed in the current Development Plan for the area, to channel housing into "rural settlements" and to prohibit residential development on a landholding where there is a history of development through speculative sale of sites as per Policy RH7 of the Kildare County Development Plan. This objective is considered reasonable. It is considered that the proposed development would constitute urban generated housing, would contravene the objective of the planning authority and would lead to demands for the uneconomic provision of further public services and 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.

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

Dated this day of 2016.