

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kilkenny County

Planning Register Reference Number: 16/80

An Bord Pleanála Reference Number: PL 10.246726

APPEAL by Pat Counihan of Rahelty, Rathmoyle, County Kilkenny against the decision made on the 19th day of May, 2016 by Kilkenny County Council to grant subject to conditions a permission to Marion and Ger Carroll care of Peter Thomson Planning Solutions of Suite 1, Burchall House, Parnell Street, Waterford.

PROPOSED DEVELOPMENT: Erection of a dormer type dwelling house, garage, new vehicular entrance, waste water treatment system and all associated works at Lacken, Rathmoyle, County Kilkenny.

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

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 Under Urban Influence" where housing is restricted to persons demonstrating local need in accordance with section 3.5.2.1 of the Kilkenny County Development Plan 2014-2020, it is considered that the applicant does not come within the scope of the housing need criteria, as set out in section 3.5.2.3 of the Development Plan for a house at this location. The proposed development is, accordingly, contrary to these Guidelines and furthermore, 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. 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.