

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/855

An Bord Pleanála Reference Number: PL 09.246935

APPEAL by Mary Lennon care of Paul Hogan Architects and Planning Consultants, 166 Glendale Meadows, Confey, Leixlip, County Kildare against the decision made on the 22nd day of June, 2016 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a detached dormer dwelling. The proposed 252 square-metre dwelling consists of kitchen/dining/living room, sitting room, utility and bedroom suite to ground floor with three bedrooms and bathroom to first floor, ancillary accommodation and associated site works to include front entrance gate and piers. Retention of self-contained unit for use as a store and music room, ancillary to the dwelling, and retention of existing septic tank and effluent treatment system at Kilmacredock Lower, Maynooth, 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 Kildare County Development Plan 2011 - 2017, the Board is not satisfied on the basis of the documentation submitted on file that the applicant comes 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 an 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 provisions of the Guidelines and of the Development Plan, and would be contrary to the proper planning and sustainable development of the area.
2. It is the policy of the planning authority as set out in the Kildare County Development Plan 2011 – 2017 to control urban sprawl and ribbon development. This policy is considered to be reasonable. The proposed development would be in conflict with this policy when taken in conjunction with existing and permitted development in the vicinity of the site, would consolidate and contribute to the build-up of ribbon development in an open rural area, and would constitute the overdevelopment of the original landholding. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. It is considered that, by reason of its mass, scale and bulk, the proposed development would be visually obtrusive and out of context on the

appeal site, and would be out-of-keeping with the character of development in the area. The proposed house would, therefore, seriously injure the visual amenities of the area, would fail to comply with the landscape protection policies set out in the Kildare County Development Plan 2011 – 2017, would contravene the Rural Design Guidelines set out in Chapter 16 of the Plan, and Section 16.4.2 in particular in relation to its scale, form and proportion, 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.