

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Kildare County**

**Planning Register Reference Number: 16/293**

An Bord Pleanála Reference Number: PL 09.247308

**APPEAL** by Erika Bennett care of AKM Consultants Limited of Unit 9, 1<sup>st</sup> Floor, Trinity Court, Fonthill Business Park, Fonthill Road, Dublin against the decision made on the 30<sup>th</sup> day of August, 2016 by Kildare County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Development consisting of detached two-storey dwelling, detached two car garage, new access gate and 1.8 metres front walls, wastewater treatment system and percolation area, landscaping of site and all associated works at Boycetown, Kilcock, 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. The subject site is located in 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 Rural Housing Policy Zone 1 as set out in Map 4.1 of the Kildare County Development Plan 2011-2017, where housing is restricted to persons demonstrating local need in accordance with the provisions of rural housing policy RH4 of the Plan. On the basis of the information submitted, the Board is not satisfied the applicant comes within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a rural house at this location. The proposed development would contribute to the encroachment of random rural development in this area and the inefficient provision of public services and infrastructure, would be contrary to the provisions of the Guidelines and of the Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Policy RH5 of the Kildare County Development Plan 2011-2017 seeks to ensure that development complies with normal siting and design considerations, including the capacity of the area to absorb further development. Policy RH11 of the Kildare County Development Plan 2011-2017 seeks to control the level of piecemeal and haphazard development of rural areas close to urban centres and settlements. Having regard to the planning history of this site, and the pattern of random residential development in this area, it is considered that the proposed development would contribute to an increasing pattern of suburbanisation in a rural area that is under significant development pressure, would exacerbate further piecemeal residential development in the area, and would materially contravene the provisions of Policy RH5 of the Development Plan, and would, therefore be contrary to the proper planning and development of the area.

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

**Dated this                      day of                      2017.**