



An  
Bord  
Pleanála

**Board Order**  
**PL 10.248390**

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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 16/527**

**Appeal** by Martin Gittens and others care of Gittens Murray Architects Limited of 5 William Street, Kilkenny against the decision made on the 30<sup>th</sup> day of March, 2017 by Kilkenny County Council to grant subject to conditions a permission to Brendan and Martina Byrne care of M Architecture and Building Surveying Limited of 22 Upper Patrick Street, Kilkenny.

**Proposed Development:** A single storey dwelling and detached garage with septic tank/percolation area and all associated site works at Watree, Gowran, County Kilkenny.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with 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 the open countryside, in an area which would correspond to the rural area type “Area under Strong Urban Influence”, as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities”, issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is indicated that it is policy to distinguish between rural-generated housing need and urban-generated housing need, and where it is the policy of the planning authority, at section 3.5 of the Kilkenny County Development Plan 2014 - 2020, to facilitate the rural generated housing requirements of the local rural community, while on the other hand directing urban generated rural housing to areas zoned for new housing development in the city, towns and villages. On the basis of the documentation submitted in support of the application and appeal, including the previous planning history of the applicants, and the nature of the employment of one of the applicants, it is considered that the proposed development of a dwelling at this location, which is not linked to a rural-generated housing need, would be contrary to these Ministerial Guidelines and would not come within the scope of the rural housing criteria set out in the Development Plan. Furthermore, it is considered that the proposed development would contribute to, and exacerbate, the pattern of existing haphazard one-off housing in this area, and would constitute undesirable ribbon development on an approach road to the village of Gowran, contrary to the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

