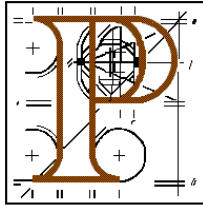


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Kilkenny County

Planning Register Reference Number: 17/605

An Bord Pleanála Reference Number: ABP-300213-17

APPEAL by David McCartan care of Larkin Associates of 1a Saint Canices Court, Dean Street, Kilkenny against the decision made on the 1st day of November, 2017 by Kilkenny County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: Permission to construct a new four bedroom house with detached garage and all associated site works at Earlsbog Leugh, Three Castles, 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

1. Having regard to the information provided by the applicant relating to his family and employment circumstances and connections to the local rural area in which the site is located, in particular his family home being in Thomastown and the absence of any employment or other connection with the local area, the location of the site in a Stronger Rural Area as identified in the Kilkenny County Development Plan, 2014-2020 (Figure 3.17) and the circumstances set out in paragraph 3.5.2.3 of the Plan where in principle rural generated housing need will be accommodated, the Board is not satisfied that the requirements of Kilkenny County Council's Rural Housing Policy have been met. The proposed development would, therefore, be contrary to the rural housing policy as set out at section 3.5 of the development plan, would be contrary to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in April 2005 and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the results of the Site Suitability Assessment undertaken on the site, the observed conditions on site indicating wet ground conditions and a high water table, the location of the site in an area of extreme groundwater vulnerability and a regionally important aquifer and the proliferation of existing dwellings served by on site treatment systems in the vicinity of the site, the Board is not satisfied on the basis of the information presented that the site is suitable for the safe treatment and disposal of effluent. The proposed development would, therefore, be prejudicial to public health and 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 2018.

