



---

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 17/640**

**APPEAL** by Ger Walsh and Fintan Walsh care of Malone O'Regan of Saint Catherine's House, Catherine Street, Waterford against the decision made on the 10<sup>th</sup> day of January, 2018 by Kilkenny County Council to grant subject to conditions a permission to Max Casey care of PBA Architects of Stoneyford, Kilkenny.

**Proposed Development** Construction of a new split level four-bedroom dwelling, new site entrance, new wastewater treatment system and all associated site works at Annamult, Bennettsbridge, 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**

Having regard to the location of the site within an area under 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 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 the Guidelines or the Development Plan for a house at this location. 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.

---

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

**Dated this            day of            2018.**