

## Board Order ABP-300916-18

Planning and Development Acts 2000 to 2017

**Planning Authority: Kildare County Council** 

Planning Register Reference Number: 17/1313

**APPEAL** by Evergreen Construction Partnership care of Derek Whyte, Urban-Rural Design and Planning Consultancy of Great Connell, Newbridge, County Kildare against the decision made on the 26<sup>th</sup> day of January, 2018 by Kildare County Council to refuse permission.

**Proposed Development** The sub-division of existing site to construct a detached dormer bungalow, secondary effluent treatment system, all associated site works at Stephenstown Court, Two Mile House, Naas, County Kildare.

## **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 proposed development would be located within 30 metres of the centreline of the existing 220 kV overhead line. Chapter 17 section 17.11.2 'Applications Proximate to Overhead Lines' of the Kildare County Development Plan 2017-2023 sets out that development in proximity to a 220 kV overhead line requires a clearance of 30 metres either side of the centre line or around a pylon. It is considered that the proposed development would contravene materially the requirements of the Kildare County Development Plan 2017-2023, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the proposed dwelling which is set back from the established building line, and of the design and bulk of the proposed

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dwelling, it is considered that the proposed development would seriously injure the residential amenity of adjoining properties and would be out of character with the pattern of development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this day of 2018.

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