



Planning and Development Acts 2000 to 2018

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 17/787

APPEAL by Jon and Brenda O'Sullivan care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 26th day of January, 2018 by Kilkenny County Council to refuse outline permission.

Proposed Development: Outline permission for the construction of a single storey dwellinghouse and garage along with all associated entrance and site works at Boherduff, Ballydonnell, Thomastown, County Kilkenny.

Decision

REFUSE outline 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 a rural area which is identified as an Area Under Urban Influence in the Kilkenny County Development Plan 2014 – 2020 and identified as being under strong urban influence in the ‘Sustainable Rural Housing Guidelines for Planning Authorities’ issued by the Department of the Environment, Heritage and Local Government in April, 2005. On the basis of the documentation submitted in support of the planning application and the appeal, and in particular the nature of employment of the applicants, the Board is not satisfied that the applicants have demonstrated any rural generated housing need for a dwelling at this rural location. The proposed development would, therefore, contravene these Ministerial Guidelines and be contrary to the proper planning and sustainable development of the area.

2. The proposed development, which would be located in an unzoned, unserviced rural area outside the development boundary of Thomastown, would constitute random residential development in a rural area that is under strong development pressure, and which already has an excessive density of housing development. It is the policy of the planning authority, as set out in the Kilkenny County Development Plan 2014-2020, to channel housing into suitably zoned land in areas where the appropriate social, community and physical infrastructure either exists or is planned, and to restrict development in rural areas. It is considered that the proposed development would exacerbate the haphazard and unplanned form of development in this rural area, would intensify urban sprawl on the road, would exacerbate ribbon development, would militate against the preservation of the rural environment, would represent an undesirable precedent for further such development in the area, and would be contrary to the policies set out in the said development plan for the area and the Thomastown Local Area Plan 2009 - 2020. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed development would endanger public safety by reason of traffic hazard by reason of the additional turning movements the development would generate on a narrow and substandard road network at a point where sightlines are restricted in an easterly direction. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

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

Dated this day of 2018.