



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 18/461

APPEAL by Fionnuala Kelly care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 18th day of June, 2018 by Kildare County Council to refuse permission.

Proposed Development: Construction of a single storey detached dwelling, foul water to mains sewer, surface water to soakaways, recessed vehicular entrance and all associated works at Blackberry Lane, Morristownbiller, Newbridge, 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 is located in an area zoned 'I- Agricultural' in the Newbridge Local Area Plan 2013 – 2019, for which the objective is to preserve the existing agricultural and equine use of the areas zoned for this purpose and to prevent urban generated development which would interfere with the operation of farming/bloodstock or rural resource based enterprise. This objective is considered reasonable. It is a policy of the planning authority, as set out in the plan, to channel housing into serviced centres and to restrict development in rural areas to that necessary to serve the needs of those engaged in agriculture and other rural activities. The proposed development would lead to demands for the uneconomic provision of further public services in an area where these are not proposed and would interfere with the rural character and attractiveness of the area. The proposed development would, therefore, contravene materially the development objective, as set out in the development plan and be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located on lands zoned for agricultural purpose in the Newbridge Local Area Plan, 2013-2019, and

in an 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 the policy to distinguish between urban generated housing need and rural generated housing need. Having regard to the nature and location of the applicant's employment, it is considered that the applicant does not have a rural generated housing need in accordance with these Guidelines which would justify the provision of a house in this rural location zoned for agricultural purposes. The proposed development would, therefore, contravene the Ministerial Guidelines and 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.