

Board Order ABP-302198-18

Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 18/547

APPEAL by Bridget Danagher and Michael Nolan care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 4th day of July, 2018 by Kildare County Council to refuse permission for the proposed development.

Proposed Development consisting of (a) three bedroom bungalow, (b) garage/fuel store for domestic use, (c) the installation of septic tank and treatment system and (d) all associated site works.

Mucklon, Enfield, 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. It is the policy of the planning authority as set out in the Kildare County Development Plan 2017-2023, as set out under Policy RH9, to control piecemeal and haphazard development. This policy is considered to be reasonable. The proposed development would conflict with this policy when taken in conjunction with existing and proposed development in the vicinity of the site, would consolidate and contribute to the build-up of ad hoc development in an open rural area, would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development the area.

 The proposed development constitutes haphazard backland development, being situated to the rear of dwellings positioned along a public roadway and accessed from a laneway substandard in width and

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surface specifications. The proposed development being backland development, would be contrary to policy RH14 of the Kildare County Development Plan 2017-2023, whereby only family members can be considered for backland development in rural areas and would, therefore, be contrary to the proper planning and sustainable development of the area.

Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.

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