



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 18/131

APPEAL by Graham Groom of Riveroaks, Castledillon, Straffan, County Kildare against the decision made on the 8th day of October, 2018 by Kildare County Council to grant subject to conditions a permission to Fionn Carr care of O'Flynn Architects of Lower Eyre Street, Newbridge, County Kildare.

Proposed Development: Demolition of existing agricultural shed and construction of a single storey and a half dwelling with use of an existing agricultural site access with all ancillary site works
Castledillon, Straffan 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

Having regard to the location of the site within Rural Housing Policy Zone 1 (more populated areas with higher levels of environmental sensitivity and significant development pressure) and outside of either a defined rural settlement or rural node, as set out in the Kildare County Development Plan 2017-2023, and in the absence of sufficient evidence of a genuine and justifiable need for housing by the applicant at the specific subject site, in conjunction with policy RH2 of the Kildare County Development Plan 2017-2023 and also having regard to the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and to National Policy Objective 19 of the National Planning Framework 2018, which, in rural areas under urban influence seeks, 'to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements', it is considered that the proposed development would contribute to the encroachment of random rural development and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure.

Accordingly, the Board considered that the proposed development would not be fully consistent with, relevant objectives of the development plan, the provisions of the 2005 guidelines and National Policy Objective 19 of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share his view that the applicant has demonstrated a sufficient genuine economic and social need to live at this site within a rural area under urban influence, when considered by reference to the relevant provisions of the statutory development plan and to the provisions of the 2005 Guidelines and National Policy Objective 19 of the National Planning Framework.

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

Dated this day of 2019.