



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/836

APPEAL by Maeve Keogh care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 18th day of September, 2019 by Kildare County Council to refuse permission.

Proposed Development: Construction of a detached single storey dwelling house with detached single storey domestic garage with vehicular entrance off the road to the rear/west of the site and via the existing agricultural entrance and the installation of a new secondary effluent treatment system and all associated site works at Old Kilcullen, Kilcullen, 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

The site of the proposed development is located within 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, and “Rural Housing Policy Zone 1” as identified on Map 4.4 of the Kildare County Development Plan, 2017-2023 reflecting its location in a more populated area with higher environmental sensitivity and significant development pressure. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area or how they comply with the detailed requirements of the rural housing policy set out in the development plan. It is, therefore, considered that the applicant does not come within the scope of the housing need criteria as set out in either the Kildare County Development Plan, 2017-2023, the Sustainable Rural Housing Guidelines or national policy for a house

at this location. The proposed development would, therefore, be contrary to Policy RH2 of the Kildare County Development Plan, 2017-2023, to the Ministerial Guidelines and to the over-arching national policy and would 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.