

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 20/1429

APPEAL by Joseph Whelan care of Brian Watchorn Architect and Surveyor of 25 Tonlegee Lawns, Athy, County Kildare against the decision made on the 8th day of June, 2021 by Kildare County Council to grant subject to conditions a permission to Aine Perse and Mark Dunne care of P.D.S and Associates of Lismard House, Tullow Street, Carlow in accordance with plans and particulars lodged with the said Council.

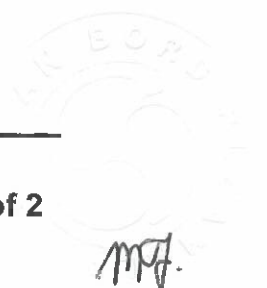
Proposed Development: To construct a single storey dwelling, detached garage, new entrance, wastewater treatment system and percolation area, bored well and all associated site works at Kilcrow, Athy, County Kildare.

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

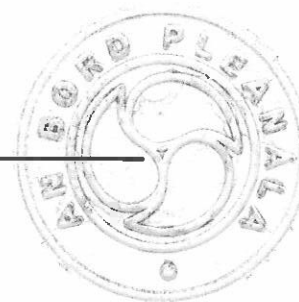
Having regard to the location of the site within a Rural Housing Policy Zone 2 in the Kildare County Development Plan 2017-2023, and in a rural area under urban influence according to the Sustainable Rural Housing Guidelines issued by the Department of the Environment, Heritage and Local Government in April, 2005 and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Local Government and Heritage in February 2018 which, for 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, having regard to the viability of smaller towns and rural settlements, it is considered on the basis of the information on the file, that the applicants have not demonstrated an economic or social need to live at this specific site, having regard to the viability of smaller towns and rural settlements. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would be contrary to Ministerial Guidelines, the relevant provisions of the County Development Plan and the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 7th day of Feb. 2022.