

Planning and Development Acts 2000 to 2021

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 20/837

APPEAL by Joseph Walsh of Dowling, Piltown, County Kilkenny against the decision made on the 19th day of July, 2021 by Kilkenny County Council to grant subject to conditions a permission to Heather Kennington care of Rory Kennedy of Óró Architecture, Grange, Killoteran, Waterford.

Proposed Development Development to an existing derelict farmhouse, outhouses and extensions converting into a dwelling/home, including associated connections, a new well borehole, sewerage treatment system, percolation area, landscaping, site entrance, with all site development works, all at Dowling, County Kilkenny.

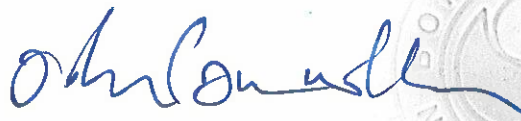
Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the location of the site within a rural area under urban influence, as identified in figure 7.1 of the Kilkenny City and County Development Plan 2021, and to National Policy Objective 19 of the National Planning Framework (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 that, notwithstanding the Development Plan policy in section 7.8.5 of the Plan in respect of the sensitive restoration of vernacular and traditional buildings in the rural area, the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development would not comply with National Policy Objective 19. 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 contravene the provisions 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 considered that, notwithstanding the Development Plan policy in section 7.8.5 of the Plan in respect of the sensitive restoration of vernacular and traditional buildings in the rural area, the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development would not comply with National Policy Objective 19. 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 contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



John Connolly

Member of An Bord Pleanála

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

Dated this 5th day of MAY 2022.