

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 211062

APPEAL by Julie Doyle care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 8th day of September, 2021 by Kildare County Council to refuse permission for the proposed development.

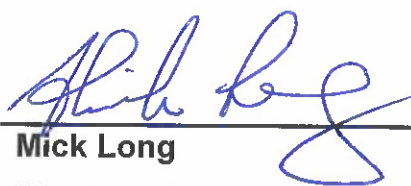
Proposed Development: To improve the quality of this land for agricultural purposes. The proposed development comprises the importation of 47,000 tonnes of soil and stones, to be spread on the site in three phases and over a period of between three and five years, the changing of the existing land levels on the subject site as part of this process, the creation of a temporary haul road linking the driveway (which is to be built under entrance arrangements which have already been authorised under planning register reference number 21/203) with the works area (including a truck turning facility), along with the installation of a wheel-wash and a portable toilet, with chemical treatment of effluent, for the duration of these site operations, all at Fleshtown, Sallins, County Kildare.

Decision

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

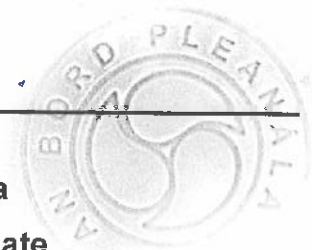
Reasons and Considerations

1. The proposed development is located within a rural area close to a designated proposed National Heritage Area (Grand Canal) and a protected structure (Digby Bridge and 16th Lock – B14-46) and close to the Grand Canal Greenway and the Grand Canal Walk. It is the policy of the planning authority as set out in the Kildare County Development Plan 2023-2029 to protect the designated viewpoint to and from the protected structure. It is considered that to permit the proposed development would contribute to the erosion of the natural rural character of the landscape in this area and would particularly impact on the setting and views towards the protected structure. It would, therefore, contravene Policies LRP2 and LRP3 of the development plan in relation to protected views (GC5) would seriously injure the amenities of the area, and would be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied that the applicant has adequately demonstrated the merits of the proposed agricultural development given its nature, scale, location and intensity and the potential generation of significant additional HGV traffic movements in the area over the proposed three to five years operational time period. The proposed development would, therefore, be contrary to proper planning and sustainable development of the area.



Mick Long

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



Dated this *9* day of *June* 2023.