

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 21/1325

APPEAL by Carl Farrar of Castledillon Upper, Straffan, County Kildare against the decision made on the 10th day of November, 2021 by Kildare County Council to refuse permission.

Proposed Development: Construction of a single storey farm manager's residence, the installation of a small on-site wastewater treatment system and soil polishing filter and all associated site works, all at Castledillon Upper, 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

1. 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 set out in 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, it is considered that the proposed development would not fully comply with relevant objectives of the development plan, the provisions of the 2005 guidelines and National Policy Objective 19 of the National Planning Framework. Therefore, the proposed development would be contrary to Ministerial guidelines and to the proper planning and sustainable development of the area.

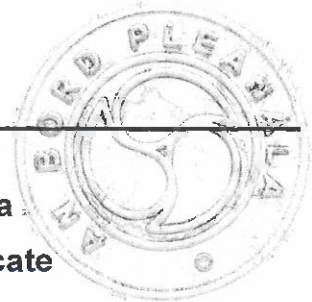
2. Policies RH9(iv) and RH 10 of the planning authority, as set out in the Kildare County Development Plan 2017-2023, seek to ensure that, notwithstanding compliance with the local need criteria, applicants

comply with all other siting and design considerations, including capacity of the area to absorb further development and to control the level of piecemeal and haphazard development of rural areas close to urban centres and settlements.

It is considered that the proposed development would, by reason of its location in proximity to Straffan, Celbridge and Clane, further exacerbate the level of such haphazard development in proximity to these and other settlements, in which lands are designated/zoned for residential purposes. To permit development at the location proposed, having regard to the level of existing housing development already in existence in this rural location and in the absence of a genuine need, would contribute to the further unsustainable development of this rural area. The proposed development would, therefore, contravene Policies RH 9(iv) and RH 10 of the Kildare County Development Plan 2017-2023 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 5th day of April 2022.