



An  
Bord  
Pleanála

## Board Order ABP-313884-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 22/217**

**Appeal** by Ray Cantwell and Siobhan Hennessy care of Anne Ryan of 9 Outrath Court, Loughboy, Kilkenny against the decision made on the 27<sup>th</sup> day of May, 2022 by Kilkenny County Council to refuse permission for the proposed development.

**Proposed Development:** Proposed construction of part two-storey part single storey, four bedroom dwellinghouse with separate garage, new entrance from public road, together with wastewater treatment system with all associated site works, at Corstown, 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 in an un-serviced rural area under urban influence, and to the submissions made in connection with the application and appeal, the Board is not satisfied that the applicant has demonstrated compliance with the qualifying criteria for rural housing of economic or social need as set out in Section 7.8.4 of the Kilkenny City and County Development Plan 2021-2027 or with National Policy Objective 19 of the National Planning Framework 2018 and the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, based on the core consideration of demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. Accordingly, the Board is not satisfied that the applicant has provided sufficient justification for a rural housing need to live in this rural area, or that the applicant's housing need, noting that they already own a dwelling in the rural area, cannot be satisfied in a serviced settlement, particularly in light of the site's proximity to Kilkenny site. In the absence of a sufficient justification, it is considered that the proposed development would contribute to the development of random rural housing in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, would be contrary to Ministerial guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.



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Liam Bergin

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

Dated this 16<sup>th</sup> day of October 2023