

An  
Bord  
Pleanála

Board Order  
ABP-313899-22

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/424

Appeal by Eithna Herbert care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 31<sup>st</sup> day of May, 2022 by Kildare County Council to refuse permission.

**Proposed Development:** Erection of single storey type house. Garage/store for domestic use. Installation of an Oakstown BAF wastewater treatment plant with polishing filter percolation area. New vehicular recessed entrance and access driveway and all associated site works, all at Lowtown, Robertstown, Naas, County Kildare.

#### Decision

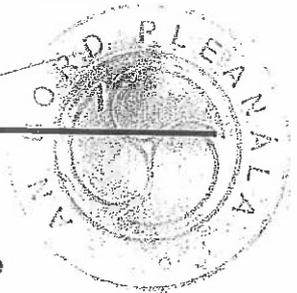
REFUSE permission for the above proposed development for the reasons and considerations set out below.

## Reasons and Considerations

The site of the proposed development is located within an Area Under Strong Urban Influence, as set out in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and on lands identified as 'Rural Housing Policy Zone 1' in the Kildare County Development Plan 2023-2029. Furthermore, the subject site is located in an area that is designated as an area under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework (2018), 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. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area, or that the housing need of the applicant could not be met in a smaller town or rural settlement. It is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would be contrary to the Ministerial Guidelines, would result in a haphazard and unsustainable form of development in an unserved area, would contribute to the encroachment of random rural development in the area, and would give rise to inefficient and unsustainable provision of public services and infrastructure at remote-from settlement locations. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

  
Stephen Brophy

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



Dated this 9 day of Feb 2023.