

An  
Bord  
Pleanála

## Board Order ABP-313984-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 22/455**

**Appeal** by Holly Clarke care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 7<sup>th</sup> day of June, 2022 by Kildare County Council to refuse permission.

**Proposed Development:** Construction of a detached single storey dwelling (170 square metres) required in conjunction with an existing and expanding agricultural enterprise, detached domestic garage (48 square metres), upgrading of the existing agricultural entrance and internal stone access road, new treatment plant Oakstown BAF6PE and percolation area, two number poly-tunnels (176 square metres each), hard and soft landscaping and all associated ancillary site works, all at The Green Avenue, Newland West, Naas, County Kildare.

## Decision

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

## Reasons and Considerations

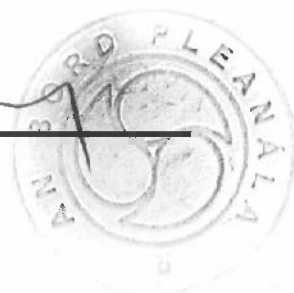
Policy HO P11 of the Kildare County Development Plan 2023-2029 seeks to 'facilitate, subject to all appropriate environmental assessments, proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside in conjunction with the rural housing policy zone map (Map 3.1) and accompanying Schedule of Category of Applicant and Local Need Criteria, as set out in Table 3.4, and in accordance with the objectives as set out' in the development plan. 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 'Zone 1' in the Kildare County Development Plan 2023-2029. Furthermore, the 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, 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 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 demonstrated an economic or social need to live in this rural area. It is considered that the applicant does not come within the scope of the local housing need criteria as set out in the Kildare County Development Plan, 2023-2029. The proposed development, in the absence of any identified local based housing need for a house at this location, would result in a haphazard and unsustainable form of development in this rural area, would contribute to the encroachment of random rural development

in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would be contrary to the overarching Ministerial Guidelines, would be contrary to national policy, would be contrary to the provisions of the Kildare County Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Martina Hennessy**

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



Dated this 31<sup>st</sup> day of May 2023.