



Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/532

APPEAL by Benjamin Cunningham and Claire Kehoe care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 28th day of June, 2022 by Kildare County Council to refuse permission.

Proposed Development: Proposed construction of new contemporary style, one-and-a-half storey type dwelling, with five bedrooms, home office, integrated domestic storage, green roof, and solar panels. Detached ancillary shed to rear of house for both domestic use and proposed apiary business. Effluent treatment system and all associated ancillary site works. Replacement of existing forest gate entrance to new recessed residential use entrance, with traditional style new gates and piers, all at Dunmurraghill, Donadea, 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 ensure that proposals for dwellings in the countryside outside of settlements are facilitated, subject to all appropriate environmental assessments, while Policy HO P26 of the development plan aims to ensure that, notwithstanding a demonstrable social or economic need to reside in the area, the capacity of the receiving environment to absorb further development of the nature proposed is given consideration and that applicants demonstrate that no significant negative environmental effects will occur as a result of the development. Objective HO O59 seeks to carefully manage single rural dwelling densities to ensure that the density of one-off housing does not exceed 30 units per square kilometre. These policies and objectives are considered reasonable. It is considered that the proposed development, when taking in conjunction with the extent and density of existing development in the vicinity, would exacerbate the already excessive density of development in this rural unserved area, would militate against the preservation of the rural environment and would lead to demands for the uneconomic provision of further public services and community facilities, contrary to the provisions of Policy HO P11, Policy HO P26 and Objective HO O59 of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 8th day of November 2023.