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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 22/849**

**Appeal** by Denis and Denise Browne care of Joseph J Warren Design and Consultancy Services of The Nook, Hillside, Kilcullen, County Kildare against the decision made on the 2<sup>nd</sup> day of September, 2022 by Kildare County Council to refuse permission for the proposed development.

**Proposed Development:** The sub-division of existing site and the upgrading and relocation of existing septic tank to a secondary effluent treatment system for the existing house and permission for the construction of a single storey bungalow, secondary effluent treatment system and all associated site works at Giltown, Donadea, Naas, County Kildare.

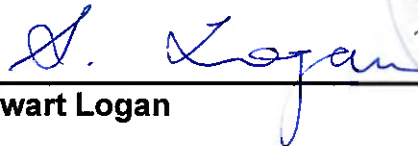
**Decision**

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

## Reasons and Considerations

1. 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 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, 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 the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and 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 elsewhere in a town or rural settlement. The proposed development would result in a haphazard and unsustainable form of development in an un-serviced 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 remote from settlement locations. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Taken in conjunction with the extent of existing development in the surrounding area, the proposed development would give rise to an excessive density of development in a rural area lacking certain public services and community facilities and would contravene the policy of the planning authority, including Policy HO P26 and Objective HO O59, as expressed in the Kildare County Development Plan 2023-2029, which is to manage rural residential density to avoid a proliferation of one-off houses, extensive ribbon development, and piecemeal and haphazard development that erodes the intrinsic character of the Irish countryside. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Stewart Logan**

**Member of An Bord Pleanála**

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

**Dated this 25 day of October 2023.**

