



An
Bord
Pleanála

Board Order ABP-315233-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/1138

Appeal by Ulric and Miriam Barry of Murrayville House, Mylerstown, Two Mile House, Naas, County Kildare against the decision made on the 8th day of November 2022 by Kildare County Council to refuse outline permission to George Boland care of Kavanagh and Associates of 44 Leeson Street Lower, Dublin for the proposed development.

Proposed Development: Outline permission for (a) five number sites each with provision for a detached dwelling house and individual wastewater treatment systems, (b) recessed entrance off the main road, shared access road with footpath and surface water network and street lighting to common spaces, and (c) site boundary treatments, landscaping and all associated development works at Mylerstown, Two Mile House, Naas, County Kildare.

Decision

REFUSE outline 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 on lands designated as 'Zone 1' 'Areas under Strong Urban Influence' in the Kildare County Development Plan 2023-2029 where it is an objective 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. It is considered that the proposed development for five dwellings has not provided a demonstrable economic or social need for future occupants to live in this rural area, or that the housing needs of the future occupants 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 be contrary to Policy HO P11 and Objective HO O46 of the development plan in relation to housing in the countryside and 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 development plan, 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.

3. Having regard to the absence of satisfactory details provided with respect to the wastewater and surface water drainage arrangements for the proposed development for the new five dwellings, it is considered that the proposed development would be contrary to Policy HO P27 and Objective HO 057 of the development plan, in this regard and would, therefore, be prejudicial to public health.



Stewart Logan

Member of An Bord Pleanála,

duly authorised to authenticate

the seal of the Board.

Dated this 22nd day of May 2024.