



An  
Bord  
Pleanála

Board Order  
ABP-315780-23

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 22/5**

**APPEAL** by Adrian and Imelda Morgan of Rathcoffey Lodge, School Road, Rathcoffey, Donadea, County Kildare against the decision made on the 17<sup>th</sup> day of January, 2023 by Kildare County Council to grant subject to conditions a permission to Vanessa Corcoran care of Declan Dempsey of The Quay, Thomastown, County Kilkenny.

**Proposed Development:** Construction of a rotary milking parlour, dairy, plant room, collecting yard, drafting facilities, cubicle shed, roofless cubicles, underground slatted tank, silage pit and lined slurry lagoon, erection of external milk tank, meal bins and water storage tank and associated site works necessary to facilitate the proposed development at Rathcoffey Demesne, Rathcoffey, County Kildare.

## Decision

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

## Reasons and Considerations

The proposed development, as modified by way of further information received by the planning authority on the 14<sup>th</sup> day of December, 2022, is reliant on access to the site via the L5046 road to the east. This would require the construction of an internal road measuring a total length of circa 1.2 kilometres through lands which are highly sensitive. However, an indicative route for the internal road has not been identified in the submitted documentation and it is evident that any route from this entrance would be highly visible in the foreground of the Protected Structure and Monuments in the vicinity when viewed from the L5046. Having regard to the overall length of the road and its siting and visibility in the context of the features of architectural and archaeological significance, and in the absence of an identifiable indicative route and a detailed architectural and archaeological appraisal of its potential impact on the wider lands, it is considered that the proposed development is contrary to Objective AH O5 of the Kildare County Development Plan, 2023-2029 which 'Require the preservation of the context, amenity, visual integrity and connection of the setting of archaeological monuments...' and Objective AH O21 of the plan, where it is sought to 'Protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development that would adversely impact on the setting, curtilage, or attendant grounds of a protected structure, cause loss of or damage to the special character of the protected structure and/or any structures of architectural heritage value within its curtilage...'

The Board also noted the original proposal for access from the existing entrance and avenue that connects with the R408 road, however, the Board was unable to assess the suitability or otherwise of this access in the absence of details on sightlines and details of the connecting internal road from the existing avenue to the appeal site. Therefore, in the absence of the necessary details the proposed development has the potential to have a significant impact on the features of architectural and archaeological significance on the wider lands and on road safety. 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 16 day of May 2024.**