



An  
Bord  
Pleanála

**Board Order**

**ABP-315987-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 22/249**

**Appeal** by Jonathan Hillman of 5 Hugginstown, County Kilkenny against the decision made on the 14<sup>th</sup> day of February, 2023 by Kilkenny County Council to grant subject to conditions a permission to Jennifer Irish care of Martin Irish of Hugginstown, County Kilkenny.

**Proposed Development:** Construction of a storey-and-a-half dwelling, proposed shared vehicular entrance, driveway, borewell, proposed wastewater treatment tank and percolation area, stormwater soakways, landscaping and all associated site works, all at Ballygeardra, Hugginstown, County Kilkenny, as revised by the further public notices received by the planning authority on the 28<sup>th</sup> day of November, 2022.

## **Decision**

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

## Reasons and Considerations

Having regard to the location of the site in an unserved rural area under urban influence, and the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has demonstrated compliance with the qualifying criteria for rural housing of economic or social need as per Section 7.8.4 of the Kilkenny City and County Development Plan 2021-2027 or with National Policy Objective 19 of the National Planning Framework (2018) and the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, based on the core consideration of demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. Accordingly, the Board is not satisfied that the applicant has provided sufficient justification for a rural housing need to live in this rural area. In the absence of a sufficient justification, it is considered that the proposed development would contribute to the development of random rural housing 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, therefore, be contrary to the proper planning and sustainable development of the area.



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**Mary Henchy**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *20<sup>th</sup>* day of *March* 2024.