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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 221018**

**APPEAL** by Aiden Melia care of Whyte Planning Consultants of Great Connell, Newbridge, County Kildare against the decision made on the 20<sup>th</sup> day of February, 2023 by Kildare County Council to refuse a permission.

**Proposed Development:** Two number detached two-storey houses (House Type A), one number detached two-storey house with attic conversion (House Type B), each house with individual secondary effluent treatment system, recessed entrance and all associated site works, at Clogheen Bridge, Clogheen, Monasterevin, County Kildare. The proposed development was revised by further public notices received by the planning authority on the 25<sup>th</sup> day of January, 2023.

**Decision**

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

## Reasons and Considerations

1. Based on the information available in connection with the application and the appeal, the Board is not satisfied that it has been demonstrated that the proposed development of three dwellings, serviced by independent waste water treatment and disposal systems for each dwelling, would satisfy the minimum standards set out in section 6.3 and Table 6.2 of the Code of Practice for Domestic Waste Water Treatment Systems (Environmental Protection Agency, 2021) and would not lead to unacceptable risk of water pollution. As a result, the proposed development would be prejudicial to public health.
2. Having regard to the location of the proposed new entrance to serve the proposed development of three dwellings, directly onto the R445 which would necessitate right turning movements and, to the absence of measures which limit the speed of vehicles on the carriageway, it is considered that the additional and conflicting turning movements generated by the proposed development would increase the risk of traffic hazard and collisions and would endanger of public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Stephen Brophy**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 8<sup>th</sup> day of April 2024.