

An
Bord
Pleanála

Board Order ABP-317471-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/423

Appeal by Daniel Tougher care of Furey Consulting Engineers of Olde World Cottage, Rathasker Road, Naas, County Kildare against the decision made on the 13th day of June, 2023 by Kildare County Council to refuse permission.

Proposed Development: Retention of two existing unauthorised structures. The construction of a new link building to form a new single residential dwelling. Changes to the external finishes of the building. Retention of the existing wastewater treatment plant to serve the new single residential unit and modification to existing access and all associated site works and services, all at Tuckmilltown, Straffan, County Kildare.

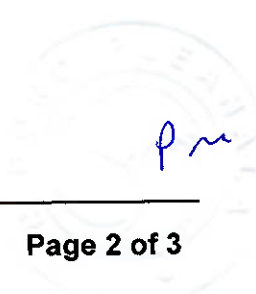
Decision

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

Par

Reasons and Considerations

1. Taken in conjunction with existing development in the vicinity, the development proposed to be retained and proposed development would give rise to an excessive density of development in a rural area and would further contribute to the erosion of the rural character of the area. The development proposed to be retained and proposed development would contravene the policy of the planning authority, including Objectives HO P26 and HO O59, as set out 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, which is both an economic resource and a tourism asset. The development proposed to be retained and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site of the development proposed to be retained and proposed development outside of either a defined rural settlement or rural node and within an area designated 'Zone 1 - Areas under Strong Urban Influence' in the Kildare County Development Plan 2023-2029, and in the absence of sufficient evidence to demonstrate compliance with Table 3.4 of the development plan in terms of local need criteria, it is considered that, based on the information submitted with the planning application and the appeal, the applicant has not sufficiently demonstrated compliance with the rural housing local needs criteria as outlined in Section 3.13.3 and Table 3.4 of the Kildare County Development Plan 2023-2029. The development proposed to be retained and proposed development would be contrary to Policy HO P11 of the Kildare County Development Plan 2023-2029 and would, therefore, be contrary to the proper planning and sustainable development of the area.



3. The development proposed to be retained and proposed development, by reason of its design and form, would not be considered a sensitive design for this rural location and, if permitted, would represent an undesirable precedent for further development of this kind, which would be detrimental to the visual amenity of the area, and would be contrary to Appendix 4 Rural Housing Design Guide and Policy HOP12 of the Kildare County Development Plan 2023-2029. The development proposed to be retained and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Peter Mullan

Member of An Bord Pleanála

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

Dated this *12th* day of *March*, 2024.