



An  
Bord  
Pleanála

Board Order  
ABP-318042-23

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 23/60294**

**APPEAL** by Shane Doody care of PETHE Architectural Consultant of An Ros, Rathgormack, County Waterford against the decision made on the 29<sup>th</sup> day of August, 2023 by Kilkenny County Council to refuse permission.

**Proposed Development** Partial demolition of the existing stable outbuildings and ruins to return a new single storey dwelling, detached garage/store, a new site entrance, all associated site works, secondary wastewater treatment system and associated soil polishing filter, all at Turkstown, Fidown, Piltown, County Kilkenny.

## **Decision**

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

## Reasons and Considerations

1. The proposed development, which is located in an area under strong urban influence, would constitute an excessive number of houses in this rural area and would not comply with Section 4.11.1 - Rural Housing, as set out in the Kilkenny City and County Development Plan 2021 - 2027, to encourage housing into suitably zoned land in areas where the appropriate social, community and physical infrastructure either exists or is planned. The proposed development would constitute ribbon development, as set out in Section 7.8.3 - Rural Housing Policies of the Kilkenny City and County Development Plan 2021 - 2027 and as set out in Appendix 4 of the "Sustainable Rural Housing Guidelines for Planning Authorities", issued by the Department of the Environment, Heritage and Local Government in 2005, which recommends avoidance from the creation of such development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of this rural area.
2. Having regard to the concentration of wastewater treatment systems at this location, the Board is not satisfied that there would not be potential impacts on groundwater quality at this location from the proposed development and would not be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of this rural area.



In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that the proposed development would not contribute to ribbon development given the existing pattern of development in this rural area.



**Mick Long**

**Member of An Bord Pleanála**

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

**Dated this**

*28<sup>th</sup>*

**day of**

*June*

**2024.**