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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 23997**

**APPEAL** by Claire Malone of Fishery Lane, Kingsfurze, Naas, County Kildare against the decision made on the 23<sup>rd</sup> day of January 2024 by Kildare County Council to refuse permission.

**Proposed Development:** The removal of condition 7 of the planning permission 73/1155 relating to a sterilisation agreement in so far as it relates to the current application site, removal of the existing agricultural shed, construction of a detached, single-storey dwelling and single-storey domestic garage, alterations to existing entrance from agricultural use to use as an entrance serving the proposed dwelling house, along with ancillary development consisting of on-site treatment system with associated sand polishing filter, driveway, parking, landscaping, boundary treatment and associated site works at Fishery Lane, Kingsfurze, Naas, County Kildare.

## Decision


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

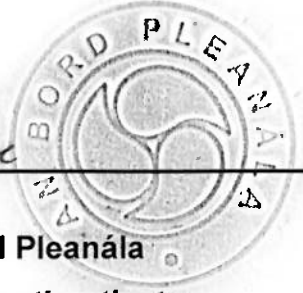
## Reasons and Considerations

1. It is the policy of the Kildare County Development Plan 2023-2029, under HO P11, that development in the countryside outside of settlements should be strictly limited to those with a demonstrable need. The proposed development, which does not cater for locally derived housing need and does not meet the criteria for rural housing need set out in Objective HO O47, would conflict with Policy HO P11 and would be contrary to the proper planning and sustainable development of this rural area under Strong Urban Influence. Taken in conjunction with existing development in the vicinity, the proposed development would give further rise to an excessive density of development and overdevelopment of a rural area and would, therefore, contravene Policy HO P26 and objective HO O59 of the Kildare County Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the sites' location in close proximity to the settlement boundaries of Naas town and Johnstown, and to existing development in the vicinity, and also having regard to Policy HO P15 of the Kildare County Development Plan 2023-2029, in which, it is the policy of the planning authority to preserve and protect the open character of transitional lands, particularly the approach roads to towns and villages and areas immediately outside of settlement boundaries in order to prevent linear sprawl, it is considered that the proposed development



would militate against the preservation of the rural character of the area, would consolidate and further contribute to the overdevelopment of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

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



Dated this 6<sup>th</sup> day of FEBRUARY 2025.