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**Planning and Development Act 2000, as amended**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 25/143**

**Appeal** by Alina Zinkiene against the decision made on the 20<sup>th</sup> day of October, 2025 by Kildare County Council to refuse permission.

**Proposed Development:** Retention of the demolition of a long-standing building in a ruinous condition. Retention of a detached dwelling with two levels of accommodation which is in a near-completed condition, but which has not yet been finished and the removal of an existing septic tank. The installation of a wastewater treatment system and soil polishing filter. The completion of this new dwelling. The upgrading of an existing access for use in connection with this house. The provision of hardstanding for a vehicular driveway and parking area, and landscaping and site works, all at Broadleas Commons, Ballymore Eustace, County Kildare.

## Decision

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

## Reasons and Considerations

1. Policy HO P20 of the Kildare County Development Plan 2023-2029 seeks to facilitate, where it is demonstrated by an applicant that a dwelling is no longer suitable for habitation, its replacement with a new dwelling subject to relevant planning criteria. Having regard to the history and current status of the site, the information provided with regard to the structure which has been demolished, and the design of the dwelling proposed to be retained, it is considered that the applicant has failed to demonstrate compliance with the relevant criteria as set out under Policy HO P20. The development proposed to be retained and proposed development would set an undesirable precedent for further such development in the area, and 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 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 the applicant has not demonstrated compliance with the rural housing policy local need criteria, as outlined in Section 3.13.3 and Table 3.4 of the development plan. The development proposed to be retained and proposed development would be contrary to Policy HO P11 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Mary Henchy**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this *27<sup>th</sup>* day of *March* 2026.