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

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 2560715**

**APPEAL** by Brendan and Michelle Costelloe against the decision made on the 9<sup>th</sup> day of January, 2026 by Kilkenny County Council to refuse permission.

**Proposed Development:** Construction of a single storey private residence, detached garage, splayed site entrance, driveway, borewell, wastewater treatment system and soil polishing filter and all associated site works at Ballyhale, County Kilkenny.

**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 planning authority, as set out in Section 13.22 (Rural Housing) and Section 7.8.3 (Rural Housing Policies) of the Kilkenny City and County Development Plan 2021-2027, to control the over proliferation of houses resulting in ribbon development. The proposed development would be contrary to this policy because, when, taken in conjunction with existing development in the vicinity of the site

that includes seven number existing dwellings to the north east of the site, it would expand the build-up of ribbon development in an open rural area. The proposed development would, therefore, be contrary to applicable planning policy and accordingly contrary to the proper planning and sustainable development of the area.

2. The Commission had regard to the location of the site within an Area Under Urban Influence as identified in Kilkenny City and County Development Plan 2021-2027 and to the policies set out in Section 7.8 (Rural Settlement Strategy) of the Plan which seeks to ensure that the provision of one-off houses in rural areas does not undermine the vibrancy and vitality of the town or settlements in rural areas while accommodating the dispersed rural living traditions of the rural areas of County Kilkenny. The Commission was not satisfied that the applicants adequately demonstrated that they fall within the categories of rural compliance and qualifying criteria set out in Section 7.8.4 (Categories of Rural Compliance and Qualifying criteria) of the development plan, including furnishing documentary evidence that the applicants have never previously owned a rural house. Accordingly, the proposed development would be contrary to the applicable policy for consideration of a rural house in an area that is under urban influence and would, therefore, be contrary to the proper planning and sustainable development of the area.

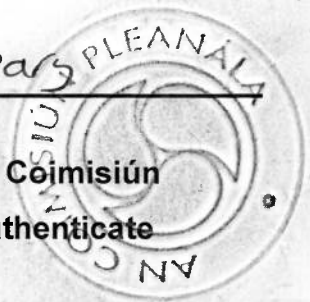
*Patricia Calleary*

**Patricia Calleary**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**



Dated this *26<sup>th</sup>* day of *May*

**2026**