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

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 2560747**

**Appeal** by Michael and Sheila O'Byrne against the decision made on the 26<sup>th</sup> day of January 2026 by Kilkenny County Council to refuse permission for the proposed development.

**Proposed Development:** To construct a new two-bedroom house and all associated site works at Jerpoint West, Thomastown, County Kilkenny.

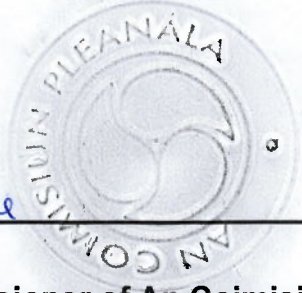
## **Decision**

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

## Reasons and Considerations

1. Having regard to the location of the site within an Area Under Strong Urban Influence as identified in the Kilkenny City and County Development Plan 2021-2027, in an area located outside of the development area boundary of the town of Thomastown, and having regard to the stated provisions of Section 7.8.4 (Categories of Rural Compliance and Qualifying criteria) of the development plan for considering rural housing in such areas where consideration of new housing is restricted to persons demonstrating local need, which is considered to be reasonable, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the development plan for a house at this location. It is also considered that the applicants' proposed development does not comply with, and is contrary to, national guidance criteria as set out in the Sustainable Rural Housing Development Guidelines 2005 and National Planning Framework (NPF) for a rural house at this location, as they currently have a dwelling in the vicinity of the proposed site. The proposed development would, therefore, be contrary to the stated provisions of Section 7.8.4 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, in the absence of any identified locally based need for the house would exacerbate suburban style development in this area and would further contribute to an excessive number of houses and ribbon development in this rural area which is under strong development pressure. The proposed development therefore, taken in conjunction with existing developments in the vicinity, would further contribute to the provision of random development and would

exacerbate the haphazard and unplanned form of development in this rural area, would intensify urban sprawl on a deficient local road network thereby injuring the visual amenity and rural character of the area, and would lead to demands for the uneconomic provision of further public services outside of the town of Thomastown zoned area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this *19* day of *June* 2026