



An
Bord
Pleanála

Inspector's Report ABP318003-23

Development

Development permission for 1) 2 bedroom demountable dwelling 2) New boundary treatments, hard standing and driveways 3) Widening of existing site entrance, entrance piers & associated works 4) associated modifications and site works 5) New waste water treatment system.

Location

Mountrice, Monasterevin, Co. Kildare.

Planning Authority

Kildare County Council.

Planning Authority Reg. Ref.

23736

Applicant(s)

Debbie O'Donoghue.

Type of Application

Retention Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party vs Refusal

Appellant(s)

Debbie O'Donoghue.

Observer(s)

None

Date of Site Inspection

11th January 2023

Inspector

Leah Kenny

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
4.0 Planning History.....	6
5.0 Policy and Context.....	6
5.1. Project Ireland 2040: National Planning Framework (NPF).....	6
5.2. Eastern and Midland Region, Regional Spatial and Economic Strategy	7
5.3. Sustainable Rural Housing Guidelines for Planning Authorities (2005).....	7
5.4. The Kildare County Development Plan 2023 - 2029	8
5.5. Natural Heritage Designations	11
5.6. EIA Screening	11
6.0 The Appeal	11
6.1. Grounds of Appeal	11
6.2. Planning Authority Response	12
6.3. Observations.....	12
There were no observations.	12
6.4. Further Responses.....	12
7.0 Assessment.....	12
8.0 Recommendation.....	17
9.0 Reasons and Considerations.....	17

Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

The development site is located near Mountrice, Monasterevin, Co. Kildare along the R414 Regional Road approximately 3.5km from Monasterevin and less than 1km from the village of Mountrice.

The appeal site is roughly rectangular in shape with a stated area 0.7842ha. The demountable dwelling is set back behind from the road behind high gates.

The appeal site is accessed directly off the R414 which can be characterised as being bounded by hedgerows either side with no footpaths, and no public lighting. There is an open drain along the western boundary of the site adjacent to the road.

The surrounding area is relatively flat with no significant landscape features and is characterised by farms and scattered one-off housing.

2.0 Proposed Development

The proposed development seeks retention of an existing single-storey two-bedroom demountable dwelling / mobile home, measuring 50sq m, with off-road parking and associated works.

Access from the development is from the R114. The widened site entrance comprises entrance splay, entrance piers and gates (2.1m high). The boundary along the R414 is a timber stock fence (1m high).

The dwelling is set back from the R414. A driveway leads to a yard area enclosed by a 1.8m concrete and post and timber fence. The dwelling is located in the north-eastern corner of the yard and a garden shed (5sq m) is located to its immediate south.

Water supply is stated on the application as being an existing connection to the public mains. An onsite well is indicated on the Site Layout Plan as being to the north of the site. An on-site wastewater treatment system and percolation area is also indicated on the plans as being located between the yard and the road frontage to the south of the site.

3.0 Planning Authority Decision

3.1. Decision

By order dated 16th August 2023, the planning authority decided to refuse permission for the development for 4 no. reasons, summarised as follows:

- Based on the lack of any information submitted with the application in relation to local need, it is considered that the Applicant has not demonstrated compliance with any 'Local Need Criteria' as outlined in Table 3.4 of the Kildare County Development Plan 2023-2029. The development for retention would therefore be contrary to section 3.13.3 of the Kildare County Development Plan 2023-2029, the Sustainable Rural Housing Development Guidelines for Planning Authorities (2005) and to the proper planning and sustainable development of the area.
- The development for retention being accessed off a regional road where an 80 kph applies fails to meet the requirements of policy HO-P29 and objective TM O95 of the Kildare County Development Plan 2023-2029, which seeks to restrict new entrances off regional roads where the 80 kph applies. To permit the development for retention would be contrary to the provisions of Policy HO P29 and objective TM O95 of the Plan, would endanger public safety by reason of traffic hazard and obstruction of road users due to the movement of extra traffic generated and sets an undesirable precedent for similar development in the area.
- The development for retention, by virtue of the poor-quality design and temporary nature of the dwelling, and the poor-quality design, scale and material choice of the vehicle entrance, boundary treatment and driveway, which do not accord with the policy HOP 12 of the Kildare County Development Plan 2023-2029 and the principles of Sections 4 & 7 of the Rural Design Guide Appendix 4 of the Kildare County Development Plan 2023-2029. Accordingly, the development for retention would be set an undesirable precedent for similar poorly designed. dwellings and visually incongruous vehicular entrance, boundary treatment and driveways within

the rural landscape and would, therefore, be contrary to the proper planning and sustainable development of the area.

- The development for retention by reason of its floor area would materially contravene Section 15.4.6 and Table 15.2 of the Kildare County Development Plan 2023 - 2029 which requires a minimum floor area for a two-bedroom dwelling of 85sqm. The development for retention, if permitted, would set an undesirable precedent for similar substandard dwellings and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

Planning Report

The planning report is the basis of the Planning Authority's decision to refuse permission.

The main issues considered in the Case Planner's report (dated 14th August 2023) are noted as including: the local need requirements of the Development Plan; siting and design; access and traffic safety; and site services.

A screening report for the need for EIA was also carried out and it concluded that EIA was not required.

Other Technical Reports

- Kildare Newbridge Municipal District Office – No objection subject to conditions.
- Roads – Recommend refusal principally because access is onto the Regional Road (R414) where an 80kph applies and this would conflict with the Kildare County Development Plan.
- Environmental Health Officer – No report.
- Environment Section – Recommended Further Information be sought.
- Water Services – No objection subject to conditions.

- Irish Water – No objection to the proposal but several observations made in respect of the proposed development.

3.3. **Prescribed Authorities**

None

3.4. **Third Party Observations**

None

4.0 **Planning History**

Under Kildare Reg. Ref. 22/1163 planning permission was refused for a similar development i.e., to retain a 2-bedroom de-mountable dwelling / mobile home and associated modifications and site work. A First Party Appeal was received by An Bord Pleanála in 2022 (ABP- 315311-22) however it was deemed invalid. In the subject application, the Case Planner notes the de-mountable dwelling / mobile home has been relocated on site in a northerly direction closer to the driveway.

It is also noted that the site is subject to unauthorised development proceedings (Reference UD8034) for the following: mobile home, boundary fence, alterations to entrance (agricultural entrance widened and change of use to domestic), removal of boundary hedgerow, blocking roadside drain, entrance pillars.

5.0 **Policy and Context**

5.1. **Project Ireland 2040: National Planning Framework (NPF)**

Under National Policy Objective 19 (NPO) of the NPF for rural areas under urban influence (i.e., in the commuter catchment of cities and large towns and centres of employment), the provision of single housing in the countryside is to be based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

The NPF also supports achieving a more inclusive society that supports our citizen's basic human rights and assists in helping people to gain access to a better quality of life. In the NPF travellers are recognised as an ethnic minority and in

respect of the housing needs of travellers the NPF sets out: *“While not all traveller lifestyles are the same, some travellers have particular housing needs, related to economic activity and kinship. There is also a requirement to accommodate nomadism, for at least part of the year in some cases. Local authorities working with the travelling community will continue to address the specific needs of travellers, ensuring that targeted provision is achieved in line with those needs and that this is also incorporated into housing and traveller accommodation strategies, city and county development plans and local area plans”.*

5.2. Eastern and Midland Region, Regional Spatial and Economic Strategy

Section 4.8 (Rural Places: Towns, Villages and the Countryside) of the RSES indicates that support for housing and population growth within rural towns and villages will help to act as a viable alternative to rural one-off housing, contributing to the principle of compact growth. Regional Policy Objective (RPO) 4.80 replicates the requirements of NPO19 of the NPF (as summarised above).

The RSES also recognise the Traveller community in Ireland, acknowledging that it experiences different social and economic conditions from the wider population.

Specific policy included in the RSES includes: **RPO 9.2:** *Support local authority and sectoral initiatives to increase active participation and social integration of minority groups, including non-Irish nationals and Travellers.*

5.3. Sustainable Rural Housing Guidelines for Planning Authorities (2005)

The Sustainable Rural Housing Guidelines require planning authorities to differentiate between rural housing demand arising from rural housing need and housing demand arising from proximity to cities and towns. The overarching aim of the Guidelines is to ensure that people who are part of the rural community should be facilitated by the planning system in all rural areas, including those under strong urban based pressures.

Section 3.2.3 gives examples of persons who are an intrinsic part of the rural community. It acknowledges that such persons will have normally spent substantial

periods of their lives living in rural areas as members of the established rural community. It also cites persons working full-time or part-time in rural areas.

Section 3.3 advises that individual sites will be subject to normal siting and design considerations, including the following:

- Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard.
- That housing in un-serviced areas and any on site wastewater disposal systems are designed, located, and maintained in a way, which protects water quality.
- The siting of the new dwelling integrates appropriately into its physical surroundings.

The Guidelines do not make reference to rural housing generated by specific ethnic minorities, including the Traveller Community.

5.4. The Kildare County Development Plan 2023 - 2029

Section 3.11 of the Development Plan addresses specialist housing provision and recognises that there are several groups with specific design and planning needs that must be considered in the planning and design of the built environment and in the location of social and community facilities. These groups include older persons, children and young people, people with disabilities, ethnic minorities, and the Traveller community. Relevant policy includes:

- **Policy HOP8:** *Ensure that groups with specialist housing needs, such as older persons, people with disabilities, the homeless, Travellers, those in need of emergency accommodation including those fleeing domestic violence, are accommodated in a way suitable to each of their specific needs.*

Section 3.11.4 of the Development Plan considers the specialist housing needs of Travellers. It refers to the adopted Kildare County Council Traveller Accommodation Programme 2019 – 2024 which sets out the policy of the Council to: "provide *high quality accommodation based on the distinct needs and the family circumstances of Travellers which will be accommodated in so far as is possible.*

This accommodation will include general housing, group housing, halting site accommodation, temporary sites and appropriate emergency accommodation where appropriate.” It also recognises ‘Nomadism’ as an essential element of ethnic identity within the Traveller culture.

The Development Plan refers to the accommodation needs assessment for the period 2019 – 2024 and specific accommodation to be provided at Tankardsgarden, Newbridge, and Athy. In terms of accommodation requirements for the rest of the county, the Development Plan acknowledges that an update is required as part of the forthcoming review of the Traveller Accommodation Plan.

The specific objectives relating to Travellers include: implement the delivery targets, of the Kildare County Council Traveller Accommodation Programme 2019-2024 (**HO O31**); ensure that Traveller accommodation is located in proximity to key services including education, community, health, recreation and public transport facilities, and to support those communities in accessing Council services in their widest provision (including arts and culture) (**HO O32**); and recognise the separate identity, culture, tradition, and history of the Travelling people in order to reduce the levels of disadvantage that Travellers experience, consistent with UN Sustainable Development Goal No. 10 - ‘Reduced Inequalities’ (**HOO34**).

In Map 3.1 the subject site is in Rural Housing Policy Zone 1 i.e., ‘Areas under Strong Urban Influence’. Section 3.13 (Sustainable Rural Housing) advises that in Zone 1, single houses in the countryside will be facilitated based on the core considerations of a) demonstrable ‘economic or social’ need to live in the rural area and build their home, and b) siting, environmental and design criteria for rural housing in statutory guidelines and plans.

Section 3.13.3 / Table 3.4 of the Development Plan sets out the criteria necessary for an applicant to demonstrate an economic or social need to live in rural County Kildare.

Relevant policy and objectives include:

- **Policy HO P11:** Facilitate, subject to all appropriate environmental assessments proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside in conjunction with the rural housing policy zone map

(Map 3.1) and accompanying Schedule of Category of Applicant and Local Need Criteria set out in Table 3.4 and in accordance with the objectives set out below. Documentary evidence of compliance with the rural housing policy must be submitted as part of the planning application.

Section 3.13.4 of the Development Plan includes policies and objectives relating to the design of all new dwellings in rural areas. Policy HO P12 provides the overarching context for the design of all new dwellings in rural areas advising that any proposed dwelling shall integrate appropriately with its physical surroundings and the natural and cultural heritage of the area whilst respecting the character of the receiving environment. Proposals must comply with Appendix 4 Rural House Design Guide and Chapter 15 Development Management Standards.

Policy HO P12 is supported by several objectives relating to sustainability and green principles (HO O50), safe vehicular access to the site without the need to remove extensive stretches of native hedgerow and trees with implications for biodiversity (HO O51 and HO O52).

Section 5.7 of the Development deals with Regional Roads acknowledging that they link the principal towns in the county but also serve local traffic. Policy TM P6 seeks to maintain and improve the capacity, safety and function of these roads.

Objectives of relevance to the subject appeal include:

- TM O95: Restrict new accesses onto regional roads where 80 kph speed limit currently applies except when safe access can be provided in the following exceptional circumstances:
 - Developments of strategic, local, regional or national importance, where there is a significant gain to the county through employment creation or other economic benefit.
 - Where the applicants comply with Schedule of Local Need Criteria (as per Chapter 3 of the Development Plan), are proposing to build a home on their family landholding and cannot provide access onto a nearby county road. In this instance, applicants will only be permitted to maximise the potential of existing entrances. The onus will be on the

applicants to demonstrate that there are no other accesses or suitable sites within the landowners landholding.

- Where it is proposed to demolish an existing dwelling and replace with a new dwelling, where there is an existing entrance onto the regional road.

Section 15 of the Development Plan addresses Development Management Considerations relevant to developments. It includes the following of relevance to the subject appeal:

- Where developments are permitted in rural areas along National, Regional and County Roads it is the policy of the Council to require compliance with the minimum setbacks as set out in Table 15.7. In the case of Regional Roads, that set back is 31m.

Appendix 4 of the Development Plan deals with Rural House Design. It provides guidance on planning for a new home in rural Kildare with an emphasis on the importance of siting and good quality sustainable design.

5.5. Natural Heritage Designations

The site is not located within a designated Natura 2000 site, it does not adjoin such a site nor is it within the zone of influence of such sites.

5.6. EIA Screening

Having regard to the modest scale and nature of the proposed development and the absence of any significant environmental sensitivity in the vicinity of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The First Party's grounds of appeal can be summarised, as follows:

- The applicant is a member of the travelling community and since March 2017 Travellers have been formally recognised as an ethnic minority.
- The policies of the Kildare Development Plan make no allowance for Travellers as an ethnic minority, and its housing policy relating to local need does not account for travellers whose basic premise is to travel.
- There is no evidence that another entrance onto the R414 would cause intensification of traffic or cause a hazard or obstruction.
- An entrance already existed prior to the upgrading and examples were included in the appeal of other existing entrances onto the R414 both north and south of the subject site.

6.2. Planning Authority Response

The Planning Authority confirmed its decision and requested that the Board refer to the Planning Reports, internal departmental reports and prescribed bodies reports in relation to the assessment of the application.

6.3. Observations

There were no observations.

6.4. Further Responses

Not applicable.

7.0 Assessment

7.1.1. This proposal is for the retention of a demountable dwelling / mobile home and all associated works. Kildare County Council refused planning permission for reasons summarised previously in this report.

7.1.2. Having examined the application details and all other documentation on file, including the submissions received in relation to the planning application, the response of the First Party, inspection of the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues on this appeal are compliance with rural housing policy, siting and design, and access and traffic safety.

- 7.1.3. Each of these issues is addressed in turn below.

Compliance with Rural Housing Policy

- 7.1.4. The Kildare County Development Plan has a presumption against one-off rural housing at rural locations identified as being in 'Areas Under Strong Urban Influence' except in instances where the applicant can demonstrate they meet the qualifying criteria and have a genuine housing need. The subject development is located within such an area, and given the nature of the proposed development i.e., a one-off rural house, the Applicant is required to demonstrate compliance with the Local Needs Qualifying Criteria as set out in Table 3.4 of the Development Plan.
- 7.1.5. While I note the planning application does include some third-party correspondence indicating the Applicant has an association with Kildare and the Monastrevin / Mountrice area, it does not address the assessment criteria specified in the Development Plan.
- 7.1.6. The assessment criteria for Category B Applicants (defined as being a person who has resided in a rural area for a substantial period of their lives within an appropriate distance of the site where they intend to build on the family landholding) is as follows: Applicants must have grown up and spent 16 years living in the rural area of Kildare and who seek to build their home in the rural area of their family landholding. Where no land is available in the family ownership, a site within 5km of the applicant's family home may be considered. The documentation submitted with the application does not adequately or sufficiently address this requirement including providing evidence of the Applicant having grown up and lived in the rural area of Kildare for 16 years, or that the subject site part of their family landholding.
- 7.1.7. Having regard to the lack of documented evidence that the Applicant meets the Local Needs Qualifying Criteria as set out in Section 3.13.3 / Table 3.4 of the Development Plan, the development is contrary to Policy HO P11.
- 7.1.8. In their appeal submission, the Applicant states the Kildare Development Plan make no allowance for Travellers as an ethnic minority, and its housing policy relating to local need does not account for travellers whose basic premise is to travel.

- 7.1.9. In the first instance, I note that Section 3.11.4 of the Development Plan specifically addresses the specialist housing needs of Travellers supported by Policy HOP8. Objective HO O31 also incorporates the delivery targets of the Kildare County Council Traveller Accommodation Programme 2019-2024 as a minimum.
- 7.1.10. I also note HO O32 which seeks to ensure that Traveller accommodation is located in proximity to key services including education, community, health, recreation and public transport facilities, and to support those communities in accessing Council services in their widest provision (including arts and culture).
- 7.1.11. In terms of the Council supporting travellers basic premise to travel, I would specifically note Kildare Council's recognition that 'Nomadism' is an essential element of ethnic identity within the Traveller culture (section 2.2 of the Traveller Accommodation Programme) and includes specific mechanisms for Traveller families to leave Council provided accommodation for short periods for the purpose of travelling.
- 7.1.12. Having regard to the provisions of the Development Plan specifically addressing the specialist housing needs of Travellers, and the adopted Kildare County Council Traveller Accommodation Programme 2019 – 2024, I am satisfied that Kildare County Council has a proactive housing policy which specifically considers the needs of Travellers.
- 7.1.13. However, the Development Plan also has a very clear housing policy for single / one-off housing in the countryside. In the case of single / one-off housing in the countryside in Areas under Strong Urban Influence, as in this case, the Applicant must provide demonstrable economic or social need to live in the rural area and build their home. As noted above, based on the information submitted with the application and appeal, I am not satisfied that the Applicant fulfils the Local Need Requirement, and the development is therefore contrary to Policy HO P11.

Design and Size

- 7.1.14. The acceptability of proposals for single / one-off housing in the countryside is also contingent on meeting siting, environmental and design criteria for rural housing in statutory guidelines and plans.
- 7.1.15. The site of the development was originally an agricultural field, defined by hedgerows and an overgrown farm access (as evidenced by Image A submitted

with the Appeal and historic images from along the road). Along this stretch of the R414 there are no other roadside dwellings, and the development is removed from the cluster of dwellings further to the south (on the R414) and along the lane perpendicular to the R414 to the north.

- 7.1.16. The original field has been divided up with the development sited to the south. The northern part of the site / field is being used for grazing of animals.
- 7.1.17. The development has opened the site to the road, removing hedgerow and installing a new wooden post fence. There are now open views into the site from both north and south (especially from the north).
- 7.1.18. A new vehicular entrance / exit splay onto the R414 has been created and is defined by wide concrete/pebble dash gate piers and an imposing automatic gate. A driveway, also defined by wooden post fencing, leads to a rectangular area of hardstanding where the de-mountable structure / mobile home is located. The yard area itself is enclosed by high wooden fencing. A standalone shed is located within the yard.
- 7.1.19. Although the site appears well maintained, and the demountable structure / mobile home is modest in size and set back from the road; in opening up the site, removing existing hedgerow boundaries, introducing high fencing around the yard and an imposing entrance, the development is highly visible from the R414 and indeed the local road to the northeast. This has the effect of being visually intrusive within the rural setting and also eroding the rural character of the area.
- 7.1.20. The County Development Plan includes general residential design standards (set out in Chapter 15). It also has a Rural House Design Guide (at Appendix 4) which provides guidance on planning for a new home in rural County Kildare, with an emphasis on the importance of siting and good quality sustainable design. Under Policy HO P12 proposals must comply with both.
- 7.1.21. The demountable structure / mobile home measures 50 sq. m, and therefore fails to meet the minimum floorspace requirements for houses set out in Table 15.2 of the Development Plan. In removing stretches of native hedgerow and trees to provide safe vehicular access to the site, the development also runs contrary to Objectives HO O50, HO O51 and HO O52.

- 7.1.22. The demountable structure / mobile home also does not accord with the siting, house design, architectural elements, or sustainability and energy efficiency requirements for new single one-off houses in the rural Kildare, as set out in the Rural House Design Guide.
- 7.1.23. Policy HO P12 and Chapter 15 and Appendix 4 of the Development Plan by extension, do not make any provision for demountable structures / mobile homes; the appropriate planning context for such development is locations and accommodation sites tailored to the specific needs of the Travelling community as provided elsewhere in the County.
- 7.1.24. On the basis of the foregoing, regularisation of the existing conditions (i.e., retention of the development) would be contrary to Policy HO P12 and would set an undesirable precedent for similar development. On this basis, I recommend to the Board that permission be refused for the retention of the existing dwelling.

Access and Traffic

- 7.1.25. The proposed entrance is accessed along a straight section of the Regional Road (R414) which has a speed limit of 80 kph. Having visited the site, I noted that several cars travelled in excess of the speed limit.
- 7.1.26. With the removal of hedgerow along the road frontage, the entrance as constructed appears to have sightline visibility; however, I note that this would have been done contrary to HO O51 (i.e., achieving safe vehicular access to the site without the need to remove extensive stretches of native hedgerow and trees).
- 7.1.27. I also note that the development is located 45m from the public road frontage and consider this to be in excess the minimum setback required for Regional Roads as set out in Table 15.7 of the Development Plan (i.e., 31m).
- 7.1.28. The County Development Plan has an objective (TM095) to restrict new accesses onto regional roads where 80 kph speed limit applies except when safe access can be provided in specified exceptional circumstance. The specified exceptional circumstance includes where applicants comply with Schedule of Local Need Criteria (as per Chapter 3 of the Development Plan), are proposing to build a home on their family landholding and cannot provide access onto a nearby county road. Where such exceptional circumstances apply, applicants will only be permitted to maximise the potential of existing entrances and there is an onus will be on the

applicants to demonstrate that there are no other accesses or suitable sites within the landowners landholding.

- 7.1.29. The issue of local need has been addressed above and I do not consider exceptional circumstances apply in this instance. However, I do note from Image A submitted with the appeal and historic images of along the road, that there was an existing farm gate at the location.
- 7.1.30. I am also cognisant of the objection from the Transportation Section of Kildare County Council who recommended a refusal on the grounds of the restrictions which apply under TM095, capacity reduction, public safety, precedent and free flowing nature of the road.
- 7.1.31. Having regard to the foregoing, I consider that retention of the development would be contrary to Policy Objective TM095 and notwithstanding the precedent of a farm access and sightline visibility, results in a traffic hazard along this section of the R414.

Appropriate Assessment Screening

- 7.1.32. Having regard to the modest nature and scale of development, location in an urban area, connection to existing services and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

I recommend that planning permission be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the location of the proposed development in Rural Housing Policy Zone 1 i.e., 'Areas under Strong Urban Influence' and the lack of evidence provided by the Applicant that they meet the Local Needs Criteria specified in Section 3.13.3 / Table 3.4 of the Kildare County Council Development Plan 2023 – 2029, it is considered that the proposed development to be retained is contrary to

the requirements of Policy HO P11. Furthermore, as the proposed development to be retained would result in sub-standard development, having regard to the residential design standards of the Kildare County Council Development Plan 2023 (set out in Chapter 14, Chapter 15, and Appendix 4 Rural House Design Guide) it is considered that the proposed development to be retained is contrary to the requirements of Policy HO P12, HO O51 and TM O95 and would set an undesirable precedent for similar developments. The proposed development to be retained would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Leah Kenny
Planning Inspector

1st February 2024

Appendix 1 - Form 1
EIA Pre-Screening
[EIAR not submitted]

An Bord Pleanála Case Reference	ABP318003-23		
Proposed Development Summary	Development permission for 1) 2 bed-room demountable dwelling 2) New boundary treatments, hard standing and driveways 3) Widening of existing site entrance, entrance piers & associated works 4) associated modifications and site works 5) New wastewater treatment system.		
Development Address	Mountrice, Monasterevin, Co. Kildare.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	X
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No			Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			

		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes		Class/Threshold.....		Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____  _____

Date: 1th February 2024