An Rannóg Pleanála
Planning Department

Date: 11/11/2026
Pl. Ref.: 26/61048

Stephen & Hugh Scully,
c/o Brian Connolly,
The Studio,
Wood's Way,
Clane,
Co. Kildare. W91 V256.

Notification of a decision under Section 34 of the Planning & Development Act 2000 (as amended)
Planning Register Number: 26/61048
Application Received Date: 21/09/2026
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kildare County Council have by Order dated 11/11/2026 decided to **REFUSE** PERMISSION for the development of land namely: for the proposed construction of a family residential cluster consisting of (a) a one and half storey detached type dwelling with detached domestic garage, proprietary effluent treatment system, and vehicular entrance on plot "1", (b) a detached bungalow type dwelling with detached domestic garage, proprietary effluent treatment system, and vehicular entrance on plot "2", (c) access avenue, and all associated ancillary site-works at **Downings North, Prosperous, Co. Kildare,** for the **2 reasons** set out in the schedule attached. The Planning Authority have had regard to any submissions or representations made on this file.

Date: 11/11/2026

pp O. H. Smith
Senior Executive Officer, Planning
Kildare County Council

Any appeal against the decision of a Planning Authority under Section 37 of the Planning & Development Act 2000 (as amended) may be made to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1. First and third party objections must be received by An Coimisiún Pleanála within 4 weeks beginning on the day of making the decision by the Planning Authority. The appeal must be fully complete from the start - you are not permitted to submit any part of it later, even within the time limit.

Any appeal made within the statutory appeal period to An Coimisiún Pleanála will be invalid unless accompanied by
1 Confirmation of submission to Planning Authority

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2 The correct statutory fee, (Fees payable to An Coimisiún Pleanála on or after 5th September, 2011)

(i) Appeal by 1st party relating to commercial development where the application included the retention of development - €4,500 or €9,000 if an EIAR or NIS involved.

(ii) Appeal by 1st party relating to commercial development (no retention element in application) - €1,500 or €3,000 if an EIAR or NIS involved.

(iii) Appeal by 1st party non-commercial development where the application included the retention of development - €660

(iv) Appeal by 1st Party solely against contribution condition(s) – (2000 Act and amendments Section 48 or 49) - €220

(v) Appeal following grant of leave to appeal

(vi) An Appeal other than referred to in (i) to (v) above - €220

This guide does not purport to be a legal interpretation of the fees payable to An Coimisiún Pleanála. Please contact An Coimisiún Pleanála for further information.

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Planning Permission is sought for the proposed construction of a family residential cluster consisting of (a) a one and half storey detached type dwelling with detached domestic garage, proprietary effluent treatment system, and vehicular entrance on plot "1", (b) a detached bungalow type dwelling with detached domestic garage, proprietary effluent treatment system, and vehicular entrance on plot "2", (c) access avenue, and all associated ancillary site-works at Downings North, Prosperous, Co. Kildare – Stephen & Hugh Scully – 26/61048

Permission is REFUSED for the following reasons:

1. Objective HO O59 of the Kildare County Development Plan 2023-2029 (as varied) seeks to *"Carefully manage Single Rural Dwelling Densities to ensure that the density of one-off housing does not exceed 30 units per square kilometre, unless the applicant is actively engaged in agriculture, or an occupation that is heavily dependent on the land and building on their own landholding."* On the basis of the information supplied within the application, neither applicant is actively engaged in agriculture nor are their occupations heavily dependent on the land. The level of existing development in the vicinity of the subject site is already measured at over 30 units per square kilometre and the proposed development would exacerbate excessive density of development in this rural area and contribute to the increasing suburbanisation of the area. The proposed development would therefore materially contravene Objective HO O59 and Policy HO P26 of the Kildare County Development Plan 2023-2029 (as varied) and would therefore be contrary to the proper planning and sustainable development of the area.

2. It is the policy of the Kildare County Development Plan 2023-2029 (as varied) under HO P12 to ensure that the siting of dwellings integrates appropriately with the physical surroundings whilst respecting the character of the receiving environment. The disjointed configuration of the site represents an expansive site area and does not represent a compact cluster form, resulting in an ad-hoc and piecemeal pattern of development that would be inappropriate within the rural landscape. Furthermore, Section 2.4 of the Rural House Design Guide of the County Development Plan 2023-2029 aims to avoid urban sprawl. It is considered that the proposed development in its current elongated format would contribute to existing urban sprawl. Having regard to the foregoing, the proposed development contravenes Policy HO P12 and Appendix 4 Rural House Design Guide of the Kildare County Development Plan 2023-2029 (as varied), which would be contrary to the proper planning and sustainable development of the area.

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