



Date: 13/10/2026
Pl. Ref.: 26/60953

Paul Phipps,
c/o StudioB Design Consultants Ltd.,
Lismard House,
Tullogh Street,
Carlow. R93A8P2.

Notification of a decision under Section 34 of the Planning & Development Act 2000 (as amended)

Planning Register Number: 26/60953
Application Received Date: 24/08/2026
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kildare County Council have by Order dated 13/10/2026 decided to **REFUSE** PERMISSION for the development of land namely: planning permission sought to construct a 2 storey dwelling, double garage, waste water treatment system and raised percolation area, bored well, new entrance, general landscaping and all associated site works at **Tuckmilltown, Straffan, Co Kildare** for the **5** reasons set out in the schedule attached. The Planning Authority have had regard to any submissions or representations made on this file.

Date: 13/10/2026

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
- 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.





An Rannóg Pleanála
Planning Department

- (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.





Planning Permission is sought for a 2 storey dwelling, double garage, waste water treatment system and raised percolation area, bored well, new entrance, general landscaping and all associated site works at Tuckmilltown, Straffan, Co Kildare – Paul Phipps - 26/60953

Permission is REFUSED for the following reasons:

1. The proposed development would be the 43rd dwelling within a 1km radius of the subject site, which exceeds the maximum acceptable density of 30 and would therefore contravene Policy HO P26 and Objective HO 059 of the Kildare County Development Plan 2023-2029 (as varied) which seeks to control rural densities. Furthermore, the dwelling would be the eighth dwelling in a row on the southern side of the L6021 (notwithstanding the minimal gaps between) which is contrary to Policy HO P13 of the Kildare County Development Plan 2023-2029 which seeks to restrict further development which would exacerbate or extend an existing pattern of ribbon development, defined as 5 or more houses along 250 metres on one side of any road. Furthermore, this location is categorised as Farmed Foothills with only a medium to low capacity for development as defined in the Landscape Character Assessment (Variation No. 4 of the Kildare County Development Plan 2023–2029). The proposed development would therefore set an undesirable precedent for similar development of this nature and would therefore be contrary to the proper planning and sustainable development of the area.
2. The subject site is at risk of pluvial flooding from the River Kill. It is within the 0.1% AEP in the CFRAM High End Future Scenario. A Site-Specific Flood Risk Assessment has not been submitted and therefore the Planning Authority is not satisfied that the proposed development is not at risk of flooding or will not cause residual flood risk including flooding on adjoining or nearby properties. The proposed development would therefore be contrary to Policy PO P33 of the Kildare County Development Plan 2023–2029 (as varied) and to the proper planning and sustainable development of the area.
3. Policy HO P12 of the Kildare County Development Plan 2023–2029 (as varied) is to ensure that the siting and design of any proposed dwelling integrates appropriately with its physical surroundings whilst respecting the character of the receiving environment. The proposed development, by virtue of its two-storey bulk, scale of its two-car garage, its extensive setback from the carriageway and its associated requirement for an extensive new driveway, would constitute haphazard piecemeal development that would not integrate appropriately with the sites physical surroundings or respect the character of the receiving environment. Furthermore, the proposed dwelling, by reason of its location being carved out of a larger field, which requires new boundary treatments, would result in a development which would unnecessarily fragment the





rural landscape.

Having regard to the foregoing, it is considered that the design and location of the dwelling does not respond sensitively to the characteristics of the receiving environment. New dwellings should blend into and not dominate the local landscape. The proposal is therefore contrary to Policy HO P12 and Appendix 4 (Rural House Design Guide) of the Kildare County Development Plan 2023-2029 and to the proper planning and sustainable development of the area.

4. Section 15.7.6 of the Kildare County Development Plan 2023–2029 (as varied) seeks to discourage the proliferation of access points onto public roads, particularly in areas where the maximum speed limit applies or where road safety is of concern. The removal of an existing agricultural access with no consideration as to how said agricultural lands will be accessed once the subject site is developed is considered inappropriate. The proposed development would therefore likely lead to a requirement for an additional entrance and there is already an over proliferation in this location off the L6021. The proposed development would therefore conflict with Section 15.7.6 of Kildare County Development Plan 2023–2029 (as varied) by interfering with the safety and free flowing nature of traffic on the road, contrary to the proper planning and sustainable development of the area.
5. Policy HO P11 of the Kildare County Development Plan 2023-2029 seeks to facilitate proposals for dwellings in the countryside outside of settlements in conjunction with the Rural Housing Policy Zones map and accompanying Schedule of Category of Applicant and Local Need Criteria. Based on the information submitted with this application, the Applicant has not demonstrated, to the satisfaction of the Planning Authority, that they fully comply with the local need criteria, and a grant of permission in this instance would be premature.

