



Date: 18/09/2026
Pl. Ref.: 26/60859

Lorcan Pender,
c/o John J Cross,
11 An Crois,
Allenwood,
Naas,
Co. Kildare. W91 K5W6.

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

Planning Register Number: 26/60859
Application Received Date: 27/07/2026
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kildare County Council have by Order dated 18/09/2026 decided to **REFUSE PERMISSION** for the development of land namely: will consist of: (A) Erection of a single storey type house (B) The installation of a proprietary waste water treatment system and soil polishing filter percolation area, and (C) Provision of a recessed vehicular entrance and access driveway and all associated site works at **Ticknevin, Carbury, Co. Kildare** for the reasons set out in the schedule attached. The Planning Authority have had regard to any submissions or representations made on this file.

Date: 18/09/2026

D. 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.
 - (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) Erection of a single storey type house (B) The installation of a proprietary waste water treatment system and soil polishing filter percolation area, and (C) Provision of a recessed vehicular entrance and access driveway and all associated site works at Ticknevin, Carbury, Co. Kildare – Lorcan Pender - 26/60859

Permission is REFUSED for the following reasons:

1. Having regard to the Kildare County Development Plan 2023-2029 Policy and Objectives (HO O59) and to the Rural Residential Density Toolkit which seeks to limit density of rural housing, especially in sensitive locations, and to exclude '*key landscape features...from the calculation area*', including areas of important habitat such as a natural peatland and Natural Heritage Areas, and where the maximum density (according to the Toolkit) is indicated to be 16, and where the existing density is already at 25 dwellings, an additional dwelling at this location would intensify the '*proliferation of one-off housing immediately adjoining key landscape and habitat features*', would result in development on an open and unscreened site, and would further '*erode the intrinsic rural character, amenity value or environmental quality of the landscape*', which the policy seeks to avoid. To permit the development as proposed would run counter to the provisions of Policy HO P26 and Objective HO O59 of the Kildare County Development Plan 2023-2029, would serve to further erode the intrinsic rural character of the area, would 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. Policy HO P27 of the Kildare County Development Plan 2023–2029 requires '*all applications to demonstrate, to the satisfaction of the Planning Authority that the proposed development site can accommodate an on-site wastewater treatment system in accordance with the Environmental Protection Agency (EPA) Code of Practice for Wastewater Treatment Systems for single houses (2021)*'. Having regard to lack of relevant information pertaining to the proposed Wastewater Treatment System and associated polishing filter, it has not been demonstrated to the satisfaction of the Planning Authority, that the proposed development would not be prejudicial to public health and therefore would be contrary to Policy HO P27 of the Kildare County Development Plan 2023-2029 and to the proper planning and sustainable development of the area.