Comhairle Contae Chill Dara
Kildare County Council

Date: 02/10/2026
Pl. Ref.: 25/61284

Shauna Leigh
c/o James Kealy,
Planning & Design Services,
Ray Whelan Business Park
Cannery Road
Carlow.

Notification of a decision under Section 34 of the Planning & Development Act 2000 (as amended)
Planning Register Number: 25/61284
Application Received Date: 13/11/2025
Further Information Received Date: 09/09/2026

In pursuance of the powers conferred upon them by the above-mentioned Acts, Kildare County Council have by Order dated 02/10/2026 decided to **REFUSE** PERMISSION for the development of land namely: the construction of a single storey dwelling, a new entrance, septic tank & percolation area, a bored well and all associated site works at **Mullaghreelan, Kilkea, Co. Kildare, R14X0X0** 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: 02/10/2026

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.
   (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

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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 construction of a single storey dwelling, a new entrance, septic tank & percolation area, a bored well and all associated site works at Mullaghreelan, Kilkea, Co. Kildare, R14X0X0 – Shauna Leigh – 25/61284

Permission is REFUSED for the following reasons:

1. The works required to provide for the access/egress point to the site would require the removal and/or disturbance of a significant amount of mature vegetation including trees and hedgerows, and may require the removal of additional trees and hedgerow to achieve the indicated sightlines which has not been depicted on the submitted documentation. A site in close proximity to the Kilkea Demesne where the loss of trees on the approach to the Demesne would have a significant negative impact on the rural character at this location, would be contrary to Objective HO 051, HO O52 and BI O26 in the Kildare County Development Plan 2023–2029 (as varied) which seeks to prevent the removal of hedgerows to facilitate development in the first instance. To permit the removal of existing trees and hedgerows on site in the absence of detailed assessment of same, in the context of green infrastructure, natural heritage, biodiversity/ecology, would be contrary to the provisions of Objective HO 051, HO O52 and BI O26, Section 12.9.1 and Appendix 4 Rural House Design Guide 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. Policy HO P11 of the Kildare County Development Plan 2023-2029 seeks to facilitate proposals for dwellings in the countryside outside of settlements in accordance with the National Planning Framework Policy NPO 19 in conjunction with the rural housing policy zone map and accompanying Schedule of Category of Applicant and Local Need Criteria. To establish a genuine local housing need, the Applicant was assessed against Category B of Zone 2 as set out in Table 3.4 of the Plan. Based on the information submitted, the Applicant has not provided sufficient documentary evidence demonstrating that she has grown up and spent a substantial period of her life in the rural area in which it is proposed to build. Accordingly, the proposed development would be contrary to policy HO P11 of the Kildare County Development Plan 2023-2029 and to the proper planning and sustainable development of the area.

   Note to Applicant: The Applicant is advised that there may be a more appropriate site available for the proposed development within the undefined residential cluster of Ballyroe, located close to the Applicant's home address.

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