

KILDARE COUNTY COUNCIL PLANNING DEPARTMENT

Planning Report



Planning Ref. No. 25/60949

Name of Applicant	Colm Conlon
Address of Development	Ballindoolin Edenderry Co Kildare
Development	(a) construction of single storey house (b) construction of Garage with domestic storage area and (c) installation of approved waste water treatment and all associated and development works
Type of Permission	Permission
Date Site Visit	26/09/2025
Due Date	15/10/2025
Decision	Further Information

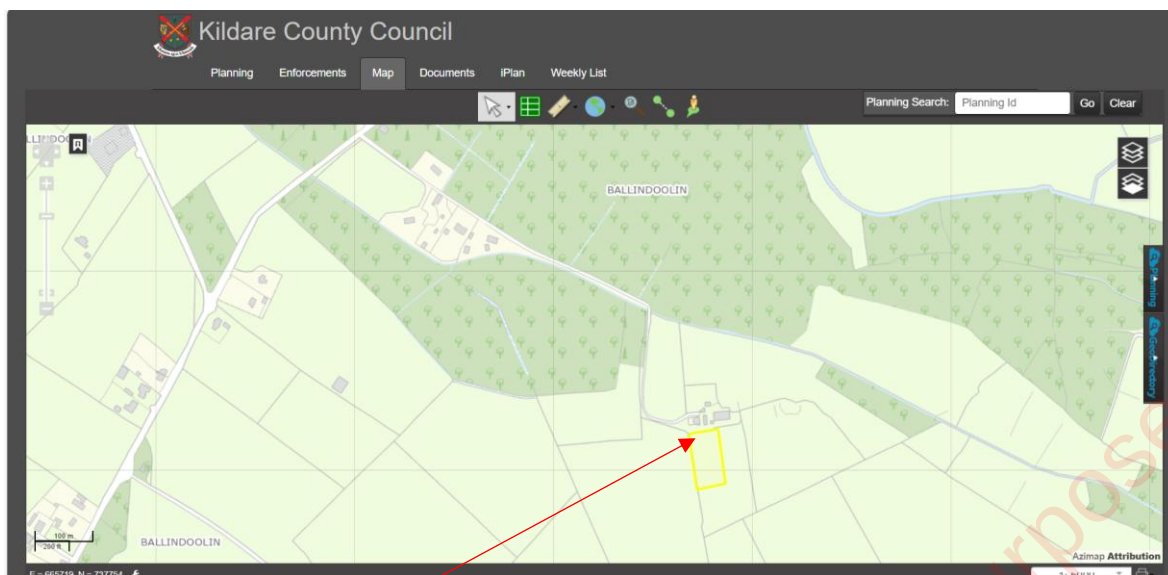
1.0 Description of proposed development

Permission is sought for:

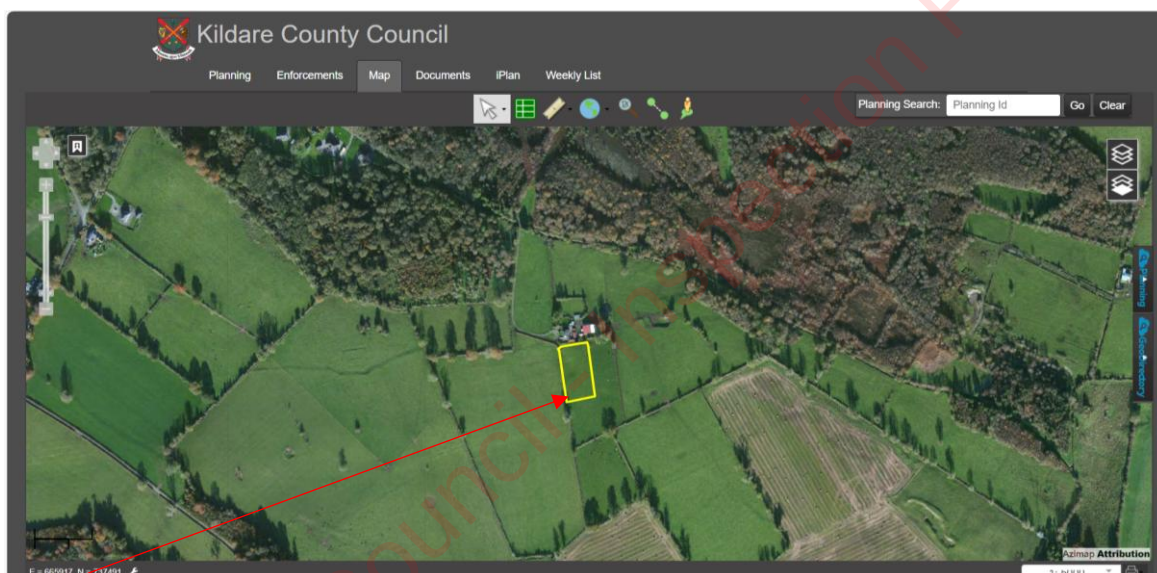
The (a) construction of single storey house (b) construction of Garage with domestic storage area and (c) installation of approved waste water treatment and all associated and development works.

2.0 Site location/context

The subject site is located in the rural townland of Ballindoolin c.5km north of Carbury and Edenderry. The site forms part of a larger field which is accessed via a private laneway c.700m off the L-5009 local road. An existing residential and farm yard type property is located directly to the north. Land uses in the vicinity comprise a mix of one off housing and agricultural development, with linear one off housing located along the private road. The field is bound by mature trees and hedging, and electric fencing along the front boundary. It is noted that the site slopes from south to north. It is currently is agricultural use, with livestock currently occupying the field.



Site location and context (site outlined in yellow).



Aerial view

3.0 Internal Reports & Prescribed Bodies

This application was referred to the following, reports received as indicated below. Please refer to the specific report on file should further details be required.

Area Engineer:	No objection subject to conditions
Water Services:	No objection subject to conditions
Environment:	No objection subject to conditions
Roads:	No objection subject to conditions
EHO:	Further Information
Uisce Eireann:	No report received at time of writing

4.0 Submissions/Observations/Representations

None on file

5.0 Pre-Planning Consultation

None on file

6.0 Relevant Planning History

No recent applications on the subject site.

7.0 Policy Context

Kildare County Development Plan 2023-2029

Chapter 3 Housing – seeks to accommodate the full range of current and future housing needs of all members of society throughout the county. Section 3.13 – Sustainable Rural Housing, acknowledges the potential of our rural settlements and recognises a continuing need for housing provision for people to live and work in the countryside. The development plan offers a strategy to manage housing demands in the countryside while also focusing on elements necessary to support the sustainable growth of rural economies and rural communities in Kildare County.

Compliance with rural housing requirements

Rural generated housing demand will be facilitated having regard, inter alia, to the applicant's genuine local and housing need. The Planning Authority will consider rural generated housing, having regards to the protection of key economic, environmental, natural heritage assets such as the road network, water quality, sensitive landscapes, habitats and built heritage. Urban generated rural housing will not be considered.

In order to demonstrate genuine local and housing need, documentary evidence highlighting compliance with Section 3.13.3 of the Development Plan Economic and/or Social need must be provided as part of any planning application to construct a rural dwelling in the County. The definition of Economic and Social is highlighted in Table 3.4 of the Development Plan.

Chapter 3 Housing

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.

HO P12 Ensure that the siting and design of 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.

- HOP14** The council will seek to resist further development which would serve to extend ribbon development, save in circumstances where a “gap site” is evident within the existing ribbon pattern, where one individual dwelling is proposed. Such proposals will be considered, regardless of the density of the area, only in the following circumstances:
- (i) The applicant can demonstrate an Economic or a Social Need (as outlined in Table 3.4 of the Plan),
 - (ii) Existing or shared accesses are used where practicable, and it is demonstrated (through the submission of documentary evidence) that no alternative site exists outside of the ribbon where the development is proposed.
 - (iii) A ‘Gap Site’ is defined as a site located within a line of existing and permitted dwellings, where one dwelling only will be accommodated, and other than agricultural access to lands to the rear (if required), the site should fully occupy the gap between existing and permitted dwellings.
 - (iv) All other technical considerations are addressed. Proposals for development which would extend the ribbon will not be considered under this policy.
- HOP15** Preserve and protect the open character of transitional lands particularly the approach roads to towns and villages and areas immediately outside of settlement boundaries in order to prevent linear sprawl near towns, villages and settlements and to maintain a clear demarcation and distinction between urban areas and the countryside and to protect the integrity of the agricultural uses in these areas.
- HOP26** Sensitively consider the capacity of the receiving environment to absorb further development of the nature proposed through the application of Kildare County Councils ‘Single Rural Dwelling Density’ Toolkit (see Appendix 11) and facilitate where possible those with a demonstrable social or economic need to reside in the area. Applicants will be required to demonstrate, to the satisfaction of the planning authority that no significant negative environmental effects will occur as a result of the development. In this regard, the Council will:
- examine and consider the extent and density of existing development in the area,
 - the degree and pattern of ribbon development in the proximity of the proposed site.
- HO P27** Require 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 EPA Code of Practice for Wastewater Treatment Systems for single houses (2021), the County Kildare Groundwater Protection Scheme, and any other relevant documents / legislation as may be introduced during the Plan period.

- HOO59** 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.

8.0 Built Heritage

Built Heritage	None on site
Archaeological Heritage	None on site
Natural Heritage	None on site. A screening for an Appropriate Assessment is attached at the end of this report
Landscape Character Heritage	North-western Lowlands Low Sensitivity
Flooding	N/a

9.0 Natura 2000 & EIA Screening

The subject site is c.8km from The Long Derries, Edenderry SAC. Screening for Appropriate Assessment and Environmental Impact Assessment has been undertaken by the Planning Authority and are included at the end of this report.

Having regard to Sections 172 and 176 of the Planning and Development Act, 2000 (as amended) and Article 102 and Schedules 5 & 7 of the Planning and Development Regulations, 2001 (as amended), a preliminary examination of the nature, size and location of the proposed development has been carried out which concludes that there is no real likelihood of significant effects on the environment arising from the proposed development. It is therefore concluded that EIA is not required.

10.0 Assessment

10.1 Local Need

The application site is located within Zone 1 as set out under Map V1-3.1 of the Kildare County Development Plan 2023-2029. Section 3.13.3 Compliance with the Rural Housing Requirements of the County Development Plan advises that in order for an applicant to be considered for a dwelling in the rural area of Kildare, an applicant must comply with (A) or (B) as set out below:

Category (A) Economic

- (i) *A farmer of the land or the son/ daughter/ niece/ nephew of the farmer who it is intended will take over the operation of the family farm or*
- (ii) *An owner and operator of a farming/ horticultural/ forestry/ bloodstock/ animal husbandry business on an area less than 15ha.*

Category (B) Social

- (i) *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.*

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 on 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 Applicant has submitted an old version of the rural housing application form, however it is inferred that the application is for a member of the rural community, i.e. Category B(i), *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*, on the rural housing planning application form. It is also indicated that the applicant is in a partnership with his father on the family farm. The application has been assessed under both categories for completeness and in order to determine which category is more appropriate.

The applicant has provided information for assessment for Economic and Social Need which has been reviewed by the Planning Authority separately and has been deemed unsatisfactory. Applicant has not supplied sufficient information to determine either economic or social need to live in this area.

Having regard to the above, it is therefore considered that the applicant **has not fully demonstrated compliance** with Economic or Social Need. This issue could potentially be overcome via a further information request.

10.2 Capacity of Receiving Environment

Policy HOP26 sensitively consider the capacity of the receiving environment to absorb further development of the nature proposed through the application of Kildare County Councils 'Single Rural Dwelling Density' Toolkit (see Appendix 11) and facilitate where possible those with a demonstrable social or economic need to reside in the area. Applicants will be required to demonstrate, to the satisfaction of the planning authority that no significant negative environmental effects will occur as a result of the development. In this regard, the Council will:

- examine and consider the extent and density of existing development in the area,
- the degree and pattern of ribbon development in the proximity of the proposed site.

Objective HOO59 states that it is an objective of the Council 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. It should be noted that Ballindoolin Bog Wood has been removed from the calculations and that the density of one-off housing has been reduced to 29 units per square kilometre. The rural density toolkit has found that there are **3 no. houses within 1 square km of the site**. This is deemed acceptable. Having regards to the provisions of Policy HOP15, it is considered that the receiving environment **does have capacity** to absorb the proposed development, subject to further assessment of other environmental issues.

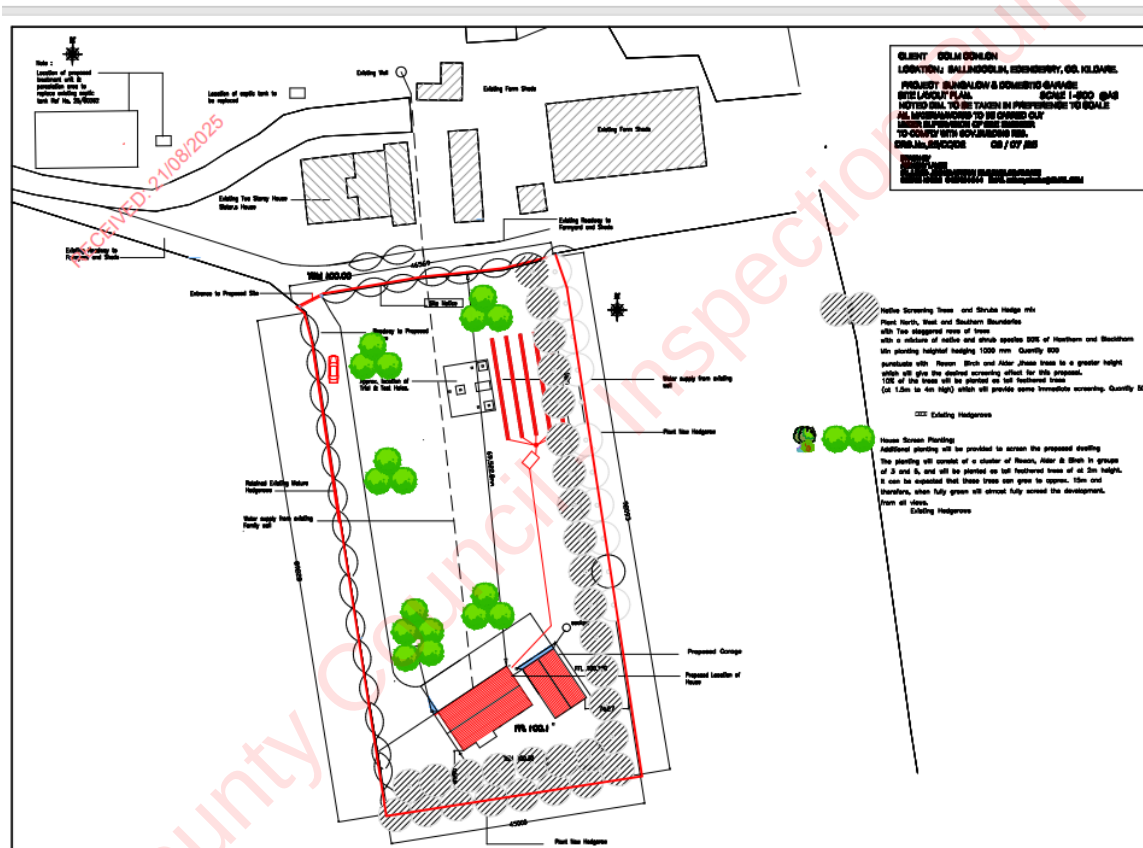
10.3 Siting and Design

Policy HOP12 seeks to ensure that the siting and design of any proposed dwelling shall integrate appropriately with its physical surroundings and the natural and cultural

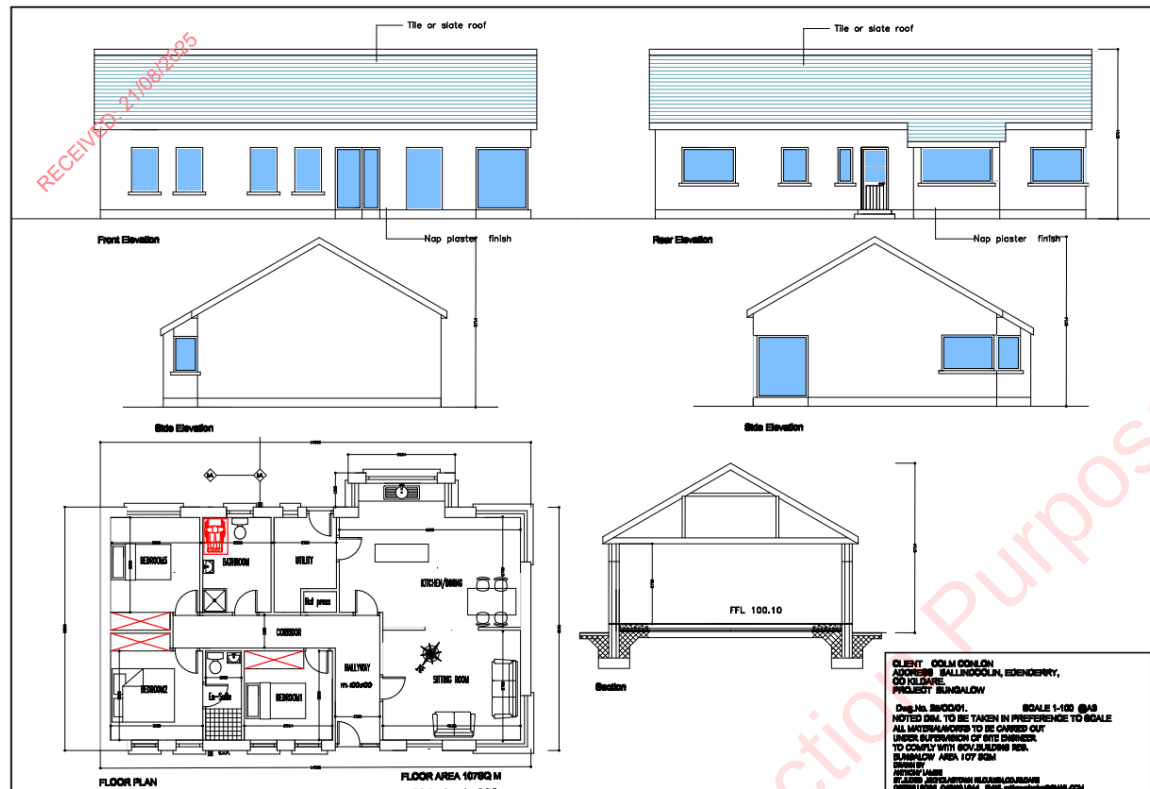
heritage of the area whilst respecting the character of the receiving environment. Proposals must comply with Appendix 4 Rural House Design Guide and Chapter 15 Development Management Standards.

While the design of the dwelling is considered to be acceptable, the Planning Authority have concerns regarding the setback distance of the proposed single storey dwelling which is c.70m from the field boundary. Notwithstanding the single story design of the dwelling, the proposal would be set back with a significant driveway on lands which are sloping in nature. Therefore, the Planning Authority have concerns regarding the visual impact of the proposal.

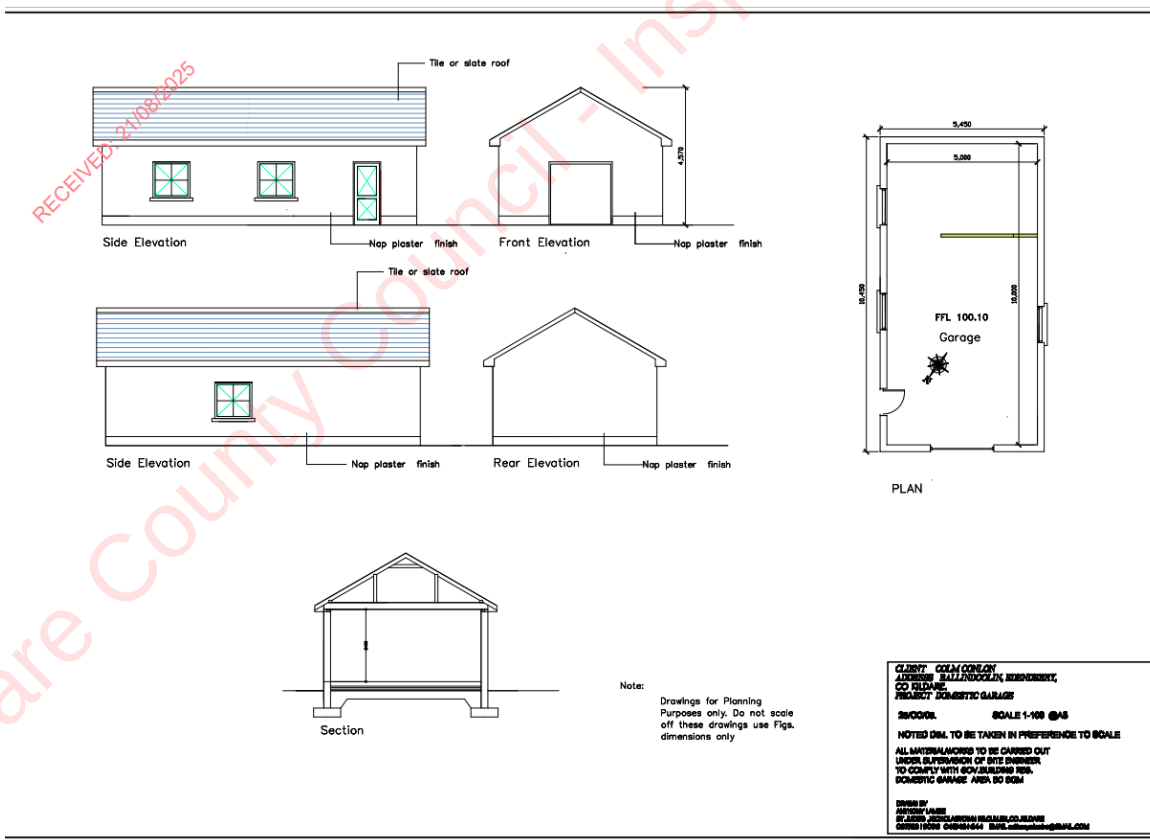
Furthermore, the applicant proposes to site the dwelling in the centre of a very large exposed and open field without providing adequate landscaping details of how the property is to be screened and set into its surroundings.



Proposed Site Layout Plan



Proposed House design



Proposed Garage Design

Section 15.4.13 of the Kildare County Development Plan 2023-2029 sets out the standards for domestic garages as follows, *the domestic garage/store/home-work pod /garden room shall be single storey only, with a maximum gross floor area of 40m² and a maximum ridge height of 5m.*

The proposed garage is c.50sqm and c.4.5m in height. The proposal is therefore contrary to Section 15.4.13 of the Kildare County Development Plan 2023-2029.

10.5 Services

The applicant has advised that they wish to connect to the existing well and are proposing a new septic tank.

The application has been reviewed by the Environmental Health Officer who has recommended that further information should be requested in relation to the trials holes which were not open at the time of inspection, the location of the well and details on the Site Characterisation Form.

11. Conclusion

The Applicant has not submitted the most recent Rural House application form; therefore, a number of key documents have not been submitted as part of the application to prove social or economic need to live in a rural area. In addition, the Planning Authority have concerns regarding the siting of the dwelling and the scale of the domestic garage proposed. Furthermore the Environmental Health Officer has raised concerns regarding the proposed well and details on the Site Characterisation Form. Further Information should therefore be requested.

12.0 Recommendation:

It is recommended that Further Information be requested as follows,

- 1) a. The Applicant has not submitted the most recent Rural House application form; therefore, a number of key documents have not been submitted as part of the application to prove local need to live in a rural area. The Applicant is requested to clarify which category they comply for local need,

Category (A) Economic

- (iii) *A farmer of the land or the son/ daughter/ niece/ nephew of the farmer who it is intended will take over the operation of the family farm or*
- (iv) *An owner and operator of a farming/ horticultural/ forestry/ bloodstock/ animal husbandry business on an area less than 15ha.*

Category (B) Social

- (ii) *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.*

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 on 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.

- b. Having regard to the above, the Applicant is requested to submit the following documents,
 - Site Ownership / Land Reg- Official Folios and Maps
 - Birth Cert
 - School records: Which include the dates in which the applicant was a student in each educational facility
 - Address Records: prove of living in the rural area 16 years
 - Letter confirming compliance with HO 043
 - Other case specific information: Details of economic need to live in the rural area if necessary
- 2) The Applicant is requested to justify the additional setback distance of the proposal from the public road rather than a similar setback of neighbouring properties in order to mitigation the impact of unnecessary development in the rural area. As part of this response cross sectional drawings through the site from the roadside boundary should also be submitted.
Please note that significant hard surfacing / soil sealing in rural area is unacceptable due to increase surface water arising from the site and impact on the receiving environment.
- 3) The Applicant is requested to clarify what materials are proposed for paving of the driveway, apron and around the house.
- 4) The Applicant is requested to submit revised drawings for the garage which reduces the scale of the proposal in line with garage standards set out in Section 15.4.13 of the Kildare County Development Plan 2023-2029.
- 5) The Applicant is to submit revised drawings showing details of boundary treatment.
- 6) The trial holes were filled in at time of inspection. To facilitate a site assessment the applicant is requested to re-open the trial holes and notify the Environmental Health Officer once opened to arrange inspection. (The trial holes shall be securely fenced off for safety reasons and should be covered to prevent ingress of surface water or rainwater).
- 7) On the site layout plan there appears to be a well in the same area as the proposed Domestic Waste Water Treatment System (DWWTS). The Applicant is requested to submit a revised site layout plan showing the exact location of the proposed well and the distance from the proposed DWWTS, as recommended, under the EPA Code of Practice 2021: Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10).
- 8) The Site Characterisation Form states that the pre-soak for the subsurface tests was 10/02/25 and the testing was 04/09/24. The Applicant is requested to clarify.



Lisa Rothwell
Executive Planner
09/10/2025



Carroll Melia
Senior Executive Planner
13/10/2025



**APPROPRIATE ASSESSMENT SCREENING REPORT
AND
CONCLUSION STATEMENT**

(A) Project Details

Planning File Ref	25/60949
Applicant name	Colm Conlon
Development Location	Ballindoolin Edenderry Co Kildare
Site size	0.990ha
Application accompanied by an EIAR (Yes/NO)	No
Distance from Natura 2000 site in km	The subject site is c.8km from The Long Derries, Edenderry SAC
<i>(a) construction of single story house (b) construction of Garage with domestic storage area and (c) installation of approved waste water treatment and all associated and development works</i>	

(B) Identification of Natura 2000 sites which may be impacted by the proposed development

			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake.	Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?	No

2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake.	Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?	No
3	Impacts on designated terrestrial habitats. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake.	Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?	No
4	Impacts on birds in SPAs Sites to consider: Poulaphouca Reservoir	Is the development within a Special Protection Area, or within 5 km of same?	No

Conclusion:

If the answer to all of the above is No, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is Yes refer to the relevant sections of C.

(G) SCREENING CONCLUSION STATEMENT

Selected relevant category for project assessed by ticking box.

1	AA is not required because the project is directly connected with/necessary to the conservation management of the site.	
2	No potential significant affects/AA is not required.	X
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement. Reject proposal. (Reject if potentially damaging/inappropriate).	
Justify why it falls into relevant category above (based on information in above tables)		
Having regard to the proximity of the nearest SACs and given the location, nature and extent of the proposed development it is not considered there would be potential for significant effects on the European sites network.		
Name:	Lisa Rothwell	
Position:	Executive Planner	
Date:	09/10/2025	

ENVIRONMENTAL IMPACT ASSESSMENT SCREENING REPORT



STAGE 1: PRE-SCREENING

For use when establishing if the proposal is a 'sub-threshold development' requiring Preliminary Examination

Planning Register Reference:	25/60949	
Development Description Summary:	(a) construction of single story house (b) construction of Garage with domestic storage area and (c) installation of approved waste water treatment and all associated and development works	
Was a Screening Determination carried out under Section 176A-C:	☐ Yes, no further action required ☒ No, proceed to Part A	
Part A. Is the development a project listed in Schedule 5, Part 1, of the Planning & Development Regs 2001 (as amended)?		
☐ Yes, specify class: <i>[insert class here]</i>	EIA is mandatory No Screening required CS1	
☒ No	Proceed to Part B	
Part B. Does the development comprise a project listed in Schedule 5, Part 2, of the Planning & Development Regulations 2001 (as amended) and does it meet/exceed the thresholds?		
☐ Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): <i>[Insert class & threshold here]</i>	EIA is mandatory No Screening required CS1	
☒ No, the development is not a project of a type listed in Schedule 5, Part 2	No Screening required CS2	
☐ Yes the project is of a type listed but is <i>sub-threshold</i> : <i>[Insert class & threshold here]</i>	Proceed to Part C	
PART C. Has Schedule 7A information/screening report been submitted?		
☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required	
☐ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required Proceed to Stage 2	
Name:	Lisa Rothwell	
Position:	Executive Planner	
Date:	09/10/2025	

Appendix A
Photos from Site Visit taken 26/09/2025

