

An
Bord
Pleanála

Board Direction
BD-011263-22
ABP-311888-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/09/2022.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. Notwithstanding

- the location of the site within an edge of village site in Killenard Village, Co. Laois which is identified in the Laois County Development Plan 2017-2023, as a village where development growth should be low density relative to the scale of the settlement, and
- to DM03 of the Laois County Development Plan 2017-2023 which states that the number of dwellings to be provided on a site should be determined with reference to the document Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and wherein it is noted that it is appropriate in controlled circumstances to consider proposals for development with densities of less than 15-20 dwellings per hectare along or inside the edge of smaller towns and villages,


the Board considered that whilst lower density settlement was generally acceptable at this location, a very low density of 4.8 dwellings per hectare represented an inappropriate form of development on land to be connected to public services. The proposed development would therefore not be in

accordance with national guidance set out in the National Planning Framework and the Sustainable Residential Development in Urban Areas Guidelines (Cities, Towns and Villages) for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in May 2009, which seeks to deliver consolidated development at suitable densities. The proposed development would therefore not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that the very low density of the proposed development represented an appropriate form of development on land to be connected to public services in accordance with overarching national guidance set out in the National Planning Framework and the Sustainable Residential Development in Urban Areas Guidelines (Cities, Towns and Villages) for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in May 2009, which seeks to deliver consolidated development at suitable densities.

Note: In accordance with section 132 of the Planning and Development Act 2000, as amended, the Board requested the applicant to clarify the overall planning history of the site including the planning permission/s which facilitated the development works on the site including the subdivision of sites and the construction of access roads. The clarification sought was not received by An Bord Pleanála within the specified timeframe set out in the Section 132 notice issued and the Board considered that this outstanding issue required clarification. However, in the context of the substantial reason for refusal set out above, the Board decided not to pursue this issue further in the context of the current appeal.

Board Member



Maria FitzGerald

Date: 14/09/2022