

An
Bord
Pleanála

Board Direction
BD-013462-23
ABP-313863-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/08/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

The majority of the appeal site is zoned for "Amenity and Open Space" purposes within the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028 with an objective to "*Protect and provide for amenity and open space areas*". The eastern portion of the site is zoned for Existing Residential purposes with an objective to "*Protect and enhance the amenity of developed residential communities*".

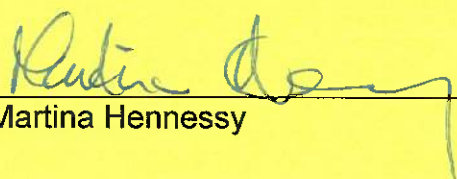
The proposed development seeks to provide a residential development on lands primarily zoned for "Amenity and Open Space" purposes within the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028. Residential is listed as a use which is not permitted on lands zoned for "Amenity and Open Space" purposes. The development would contravene materially the zoning objectives pertaining to the majority of the site as set out within the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028 and would be contrary to the requirements of Strategic aim (ii) of the Development Plan Core Strategy which seeks to promote development that is reflective of the scale of the Core Strategy and zoning maps.

The development is therefore considered contrary to the provisions of the Cavan County Development Plan 2022-2028 and the proper planning and sustainable development of the area.

Note:

The Board considered the proposed development in the context of the “Urban Design Manual – a Best Practice Guide” issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, which includes key criteria such as context, connections, inclusivity, variety and distinctiveness. It is considered that the overall residential development results in a poor design concept and layout that is unimaginative and substandard in its form and fails to have regard to the site’s locational context. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reason for refusal above, it was decided not to pursue this matter under the current appeal.

Board Member


Martina Hennessy

Date: 29/08/2023