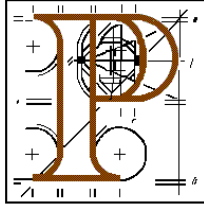


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Offaly County

Planning Register Reference Number: PL2/15/166

An Bord Pleanála Reference Number: PL 19.245440

APPEAL by Colm and Caroline Farrell care of Emerald Eco Homes Limited of Kilkenny West, Glasson, Athlone, County Westmeath against the decision made on the 7th day of August, 2015 by Offaly County Council to refuse outline permission.

PROPOSED DEVELOPMENT: Outline permission for proposed dwelling with wastewater treatment system at Clonaderg, Ballinahown, County Offaly.

DECISION

REFUSE outline permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The planning authority has stated that they consider the proposed development would materially contravene Policies SSP-18 and SSP-19 of the current Offaly County Development Plan. The Board pursuant to the provisions of section 37 (2)(b) of the Planning and Development Act, 2000, is precluded from the granting of planning permission for the proposed development as none of the provisions of section 37 (2)(b) (i), (ii), (iii) or (iv) of the said Act apply in this case. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site is located within an Area of Special Control where policies SSP-18 and SSP-19 of the Offaly County Development Plan 2014-2020 states that a single dwelling for permanent occupation will only be considered where a number of criteria can be demonstrated, including that the applicant has demonstrated a functional need to reside in the area. It is not considered that the applicant has demonstrated the exceptional circumstances required, with particular regard to the functional need to reside in this particular area. The proposed development would, therefore, materially contravene policy objectives SSP-18 and SSP-19 of the said Development Plan and would be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.