



Planning and Development Acts 2000 to 2018

Planning Authority: Offaly County Council

Planning Register Reference Number: PL2/18/177

APPEAL by Karl and Emma Mollen care of Murray Architectural Services of Four Winds, Pallas Park, Blueball, Tullamore, County Offaly against the decision made on the 14th day of June, 2018 by Offaly County Council to refuse permission.

Proposed Development

Two-storey house, garage and effluent treatment system and all ancillary works and services at Bracklin Big, Tullamore, County Offaly.

Decision

REFUSE permission for the above proposed development in accordance with 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 site of the proposed development is located within an “Area Under Strong Urban Influence” as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in an area where housing is restricted to persons demonstrating local need as set out in the Offaly County Development Plan 2014-2020. Furthermore, the site is located in a rural area that is under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area. On the basis of the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the rural character of the area, it is considered that the proposed development would militate against the preservation of the rural environment and would materially contravene objective LAO-01 of the Offaly County Development Plan 2014-2020 which seeks to preserve and enhance the character of the county’s landscape. This objective is considered

reasonable. The proposed development would set an undesirable precedent for further development along this laneway and would, therefore, be contrary to the proper planning and sustainable development of the area.

Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2018.