



Planning and Development Acts 2000 to 2018

Planning Authority: Laois County Council

Planning Register Reference Number: 18/463

APPEAL by David and Riona Grahon of 8 Craydon Court, Portlaoise, County Laois against the decision made on the 24th day of September, 2018 by Laois County Council to refuse permission for the proposed development.

Proposed Development: Construction of a new dwelling house, domestic garage, wastewater treatment system with polishing filter, man made lake/pond for work purposes and a new site entrance at Graigavern, Ballybrittas, County Laois.

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. Having regard to the location of the site within a rural area under strong urban influence, to the criteria set out in Figure 7 and Table 6 of the Laois County Development Plan 2017-23, and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February, 2018 which, for rural areas under urban influence, seeks 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, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant does not comply with National Policy Objective 19. In the absence of such compliance, the proposed development would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development, by reason of its scale, siting and design, would fail to integrate into the rural landscape, would seriously injure the amenities of the area, would conflict with the provisions of the Laois County Development Plan 2017-2023 for the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board concurred with the views of the planning authority that notwithstanding the applicant's proposal to undertake research at the proposed lake on the site, the applicant had not demonstrated a need to reside in a rural area. Furthermore, the Board concurred with the views of the planning authority that the proposed house, by reason of its scale, siting and design would form a discordant and obtrusive feature on the landscape and would, therefore, seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald

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

Dated this day of 2019.