

Board Order ABP-302985-18

Planning and Development Acts 2000 to 2018 Planning Authority: Longford County Council Planning Register Reference Number: 18/185

**APPEAL** by Gerry O'Hara care of Cunningham Design and Planning of Block C, N4 Axis Centre, Longford, County Longford against the decision made on the 18<sup>th</sup> day of October, 2018 by Longford County Council to refuse permission to the said Gerry O'Hara.

**Proposed Development** Construction of a storey and a half type dwelling house, detached garage, entrance, boundary fence/wall, proprietary wastewater treatment system with percolation area and all ancillary works, at Foygh, Ballymahon, County Longford.

## 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 proposed development is located within an Inland Lakes and Waterways Broad Zone, which has been identified in Sections 6.2.2.7 (Policy References ILW 1, IWL 8 and IWL9) of the Longford County Development Plan, 2015-2021, as being a recreational resource of high amenity value to be preserved, enhanced and protected from inappropriate development. The proposed development would, if permitted, either by itself or by the precedent it would set for other similar development in the area, contravene the above-mentioned policies and would be materially contrary to Policy Reference ILW 12 which seeks to protect the natural setting of the canal, its views and prospects. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within a stronger rural area, 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 social and economic local need, in accordance with the Longford County Development Plan 2015-2021. Having regard to the proximity of existing settlements to the subject site and having regard to the documentation submitted with the application and 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, notwithstanding the provisions of the current Longford County Development Plan, and would be contrary to the proper planning and sustainable development of the area.

> Dave Walsh Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2019.