



---

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: PL2/18/399**

**APPEAL** by Eamonn Keenan of Ballycue, Geashill, Tullamore, County Offaly against the decision made on the 9<sup>th</sup> day of November, 2018 by Offaly County Council to grant subject to conditions a permission to Joanne and Dave McCracken care of Padraig Connell of 2 Fairview Terrace, Garden Vale, Athlone, County Westmeath.

**Proposed Development:** Construction of a dwellinghouse and forge including materials store, septic tank with percolation area and all associated site works at Ballynacanty, Blueball 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. Having regard to the location of the site within a "Stronger Rural Area" as identified in Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government, in April, 2005 and in an identified 'Pressure Area', as designated in the Offaly County Development Plan 2014-2020, where rural housing is assessed by reference to described categories demonstrating local need, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the Development Plan, for a house at this location. The proposed development, in the absence of any identified, locally-based need for the house, 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 materially contravene the relevant provisions of the Offaly County Development Plan 2014-2020, would be contrary to the 2005 Ministerial Guidelines, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed forge, by reason of the potential noise it would generate proximate to an adjoining dwelling and the level of traffic it would bring to the site, and notwithstanding the amendments to the proposal set out by the applicant as part of a submission made in response to the appeal, would seriously injure the residential amenities of adjoining property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

---

**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**