



Planning and Development Acts 2000 to 2019

Planning Authority: Laois County Council

Planning Register Reference Number: 18/761

APPEAL by Aaron McEvoy of Ballybuggy, Rathdowney, County Laois against the decision made on the 11th day of June, 2019 by Laois County Council to grant subject to conditions a permission to Margaret Kelly and Paul Colton care of Leslie Colton of Underhill, Rathmore, Stradbally, County Laois.

Proposed Development: Construction of a two-storey dwellinghouse, domestic garage, a proprietary wastewater treatment system and percolation area, new entrance and all associated and necessary site works at Ballybuggy, Rathdowney, 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

The subject site is located in a rural area which is identified as a 'Structurally Weak Area' as set out in the Laois County Development Plan 2017 - 2023, and as being within a 'Stronger Rural Area' in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April, 2005. On the basis of the documentation submitted in support of the planning application and the planning appeal, in particular the proximity of the site to nearby established settlements and to the location of employment of the applicant, the Board is not satisfied, notwithstanding the provisions of the current County Development Plan, that the applicant has demonstrated a rural generated housing need for a dwelling at this rural location contrary to National Policy Objective 19 as set out in the National Planning Framework adopted by the Government. The proposed development would, therefore, be contrary to the Ministerial Guidelines, to national policy and would be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.