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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: PL2/19/552**

**APPEAL** by James and Catherine Hamilton of Dalgan, Geashill, County Offaly against the decision made on the 24<sup>th</sup> day of January, 2020 by Offaly County Council to refuse outline permission.

**Proposed Development:** Four number two-storey terraced houses, and two number semi-detached two-storey houses together with access roadway, on-site parking and shared private open space. Total six number houses, connected to public water and sewer mains. New vehicular and pedestrian access gates onto the L-1020-1 Geashill to Ballinagar Road. No works are proposed on the adjacent protected structure at Dalgan, Geashill, County Offaly.

**Decision**

**REFUSE** outline 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 layout and design of the proposed development would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas issued by the Department of the Environment, Heritage and Local Government in May, 2009, which require new developments to respect the pattern and grain of existing development and also policy SSP- 12(g) Volume I of the Offaly County Development Plan 2014-2020, where it is the policy of the Council to have 'regard to and help to maintain and reinforce the form and character of the village concerned in terms of design, layout, finishing details, boundary makeup and landscaping'. Accordingly, it is considered that the proposed development by reason of its suburban layout and design which does not respect the established pattern and grain of development in Geashill, would be contrary to these policies, would seriously injure the residential and visual amenities of the area, would set an undesirable precedent for similar residential developments in the village and would, therefore, not be in accordance with the proper planning and sustainable development of the area.

2. The proposed development by failing to provide adequate private space provision for the residential units would be contrary to Section 8.6.4 - Private Open Space (Residential Development) of the Offaly County Development Plan 2014-2020, together with a dominance of surface parking, it is considered that to permit the provision of six number dwellings, would represent a significant overdevelopment of a restricted site, would seriously injure the residential amenity of future occupiers of the dwellings and of properties in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. Having regard to the restricted nature of the site, the inadequate distance between opposing first floor windows, the proposed development would be contrary to Section 8.6.6 - Space Around Buildings of the Offaly County Development Plan 2014-2020, it is considered that to permit the provision of six number dwellings, would seriously injure the residential amenity of occupants of the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2020**