



Planning and Development Acts 2000 to 2020

Planning Authority: Offaly County Council

Planning Register Reference Number: PL2/20/106

APPEAL by Rosemarie Manning care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 7th day of July, 2020 by Offaly County Council to grant subject to conditions a permission to Therese Hickey and Darren Molloy care of Infinite Focus Engineers of Number 10 Fr. McWey Street, Edenderry, County Offaly.

Proposed Development: The construction of a two-storey dwelling, a domestic garage and a wastewater treatment system, provision of a vehicular entrance, and all associated site works, all at Ballybrittan ,Rhode ,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 an area identified as being under “strong urban influence” (Map 1.3 – Rural Area Types in County Offaly) and as a “pressure area” (Map 1.4 – Rural Housing Policy Map) in the current Offaly County Development Plan, to Regional Policy Objective RPO 4.80 of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031, and to National Policy Objective 19 of the National Planning Framework which seeks to facilitate the provision of single houses in the countryside in areas under urban influence based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the siting and design criteria for rural housing in statutory plans and guidelines, namely the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, it is considered that the applicants do not come within the scope of the housing need criteria as set out for a house at this location. It is considered that the applicants have not sufficiently demonstrated an economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with Regional Policy Objective 4.80 and National Policy Objective 19. In the absence of any identified locally-based need for the house, the proposed development would be

contrary to regional and national housing policy and objectives and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would contribute to urban generated residential sprawl in this area, would contribute to existing ribbon development along this section of roadway, would contribute to the encroachment of random development in this rural area, would militate against the preservation of the rural environment and would lead to an inefficient and uneconomic demand for the provision of services in this rural area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2021.