



Planning and Development Acts 2000 to 2020

Planning Authority: Offaly County Council

Planning Register Reference Number: 20/175

APPEAL by Michael Betson and Caroline Tyrrell of Ballinagar, Tullamore, County Offaly against the decision made on the 18th day of August, 2020 by Offaly County Council to grant subject to conditions a permission to Glen and Triona Mahon care of John Madden and Associates of Blackhall Street, Mullingar, County Westmeath.

Proposed Development: Construction of a new dwelling, garage, septic tank and percolation area and all associated site works at Ballinagar, Tullamore, 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 rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February, 2018) which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered that the applicant has not 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 would not comply with National Policy Objective 19. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has demonstrated a rural housing need to live in this rural area as required under policy objective SSP-18 of the Development Plan. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Offaly County Development Plan, 2014 for a house at this location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

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

Dated this day of 2021.