

Planning and Development Acts 2000 to 2020

Planning Authority: Laois County Council

Planning Register Reference Number: 20/177

APPEAL by Jane Cosgrove care of Reid Associates of 2 Connaught Place, Crofton Road, Dún Laoghaire, County Dublin against the decision made on the 28th day of September, 2020 by Laois County Council to grant subject to conditions a permission to Garry Byrne care of Frank Casey of Rathmore, Stradbally, County Laois.

Proposed Development: Retention of extension and amendments to existing garage, change the use of same to office/reception, erection of a steel shed adjacent to same to accommodate pet incinerator for proposed pet crematorium at Shanahoe, County Laois.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

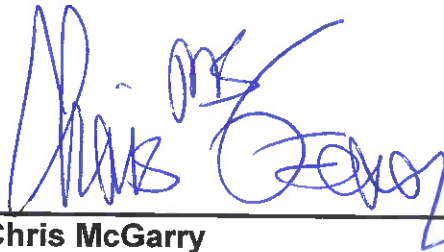
Matters Considered

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

1. On the basis of the information submitted with the application and appeal, and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the development for which retention permission is sought and the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on European Sites, the River Barrow and River Nore Special Area of Conservation (Site Code: 002162) and the River Nore Special Protection Area (Site Code: 004233) in view of the European Sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission for the proposed development.
2. On the basis of the information submitted with the planning application and the appeal, the Board cannot be satisfied that the development for which retention permission is sought and the proposed development, which would be located within the curtilage of the existing dwelling on site, would not seriously injure the residential amenity of this dwelling or of adjacent properties, or the amenities of the area, by reason of traffic impact, noise, air quality, groundwater and surface water quality. In this regard, the development for which retention permission is sought and the proposed development would be contrary to the proper planning and sustainable development of the area.

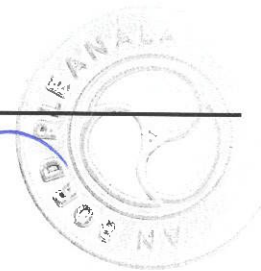
3. On the basis of the information submitted with the application and appeal, the Board cannot be satisfied that the development for which retention permission is sought and the proposed development would not comprise an inappropriate form of development at this rural location which is inadequately serviced in terms of transportation and water services infrastructure. The proposed development would also be contrary to policy in Section 2.1.6 and Section 5.10 of the Laois County Development Plan 2017-2023 relating to preferred types of rural economic development. The development for which retention permission is sought and 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 11th day of May 2021.