

Planning and Development Acts 2000 to 2020

Planning Authority: Carlow County Council

Planning Register Reference Number: 20/209

APPEAL by David McDonald of Kilcarrig, Bagenalstown, County Carlow against the decision made on the 5th day of January, 2021 by Carlow County Council to grant subject to conditions a permission to Eoin and Karen Rea care of Seamus Smithers of Garryhill, Bagenalstown, County Carlow.

Proposed Development: Construction of a dormer dwellinghouse with basement, dormer type garage with link to dwellinghouse, septic tank and percolation area, together with all associated site and landscaping works at Kilcarrig, Bagenalstown, County Carlow. The proposed development was revised by further public notices received by the planning authority on the 2nd day of December, 2020. The further information lodged with the planning authority included a change of house type from dormer to bungalow, including the omission of basement and garage.

Decision

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

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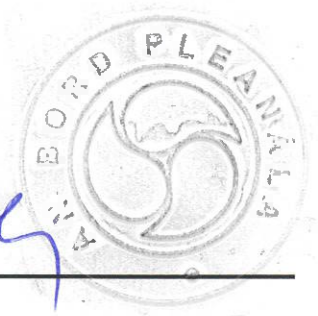
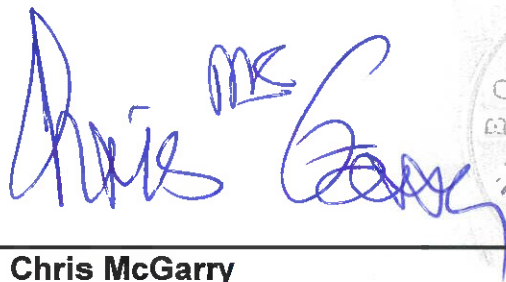
Matters Considered

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 site of the proposed development is located in an 'Area under Urban Influence', as set out in as set out in Map 2.3 of the current Carlow County Development Plan, and in an area under strong urban influence as set out in Map 1 of the 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government in April 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need. Furthermore, having regard to National Policy Objective 19 of the National Planning Framework, issued by the Department of Housing, Planning and Local Government in 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 does not come within the scope of the housing need criteria, as set out in National Policy Objective 19. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure.

In this regard it is considered that the proposed development would be contrary to the Ministerial Guidelines, to the overarching national policy, and to the relevant provisions of the current development plan for the area. 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 *12th* day of *July* 2021.