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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: PL2/20/552**

**APPEAL** by Eddie and Nuala Ryan of Main Street, Ballycumber, County Offaly against the decision made on the 6<sup>th</sup> day of January, 2021 by Offaly County Council to refuse permission.

**Proposed Development:** Construction of a house, domestic garage, new entrance and associated siteworks at River Street, Ballycumber, County Offaly. The existing front boundary is a random rubble stone wall. This is an approach wall to Ballycumber Bridge and is a Protected Structure.

**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. The site is located in an area that is outside of the zoned lands identified for Ballycumber and in an area that is identified as a pressure area in the Offaly County Development Plan, 2014-2020, and rural housing policy for development in such areas requires compliance with Policy SSP-18 of the development plan. On the basis of the information submitted with the application and appeal, the Board is not satisfied that the applicant has demonstrated compliance with the criteria attached to Policy SSP-18, notably Category 1 (relating to local rural person) and/or Category 2 (persons working full time or part time in rural areas) and considered that the proposed development would be contrary to Policy SSP-18 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.



2. Access to the site is proposed to be via an existing laneway that connects with the R436 at a point where sightlines to the south-east are significantly restricted by the existing stone boundary wall that fronts the site. Notwithstanding the existing use of the access by residential, agricultural, and other traffic, it is considered that the proposed intensification of use consequent on this proposed development would create a traffic hazard at this location.

*Terry Ó Niadh*

**Terry Ó Niadh**

**Member of An Bord Pleanála**

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

Dated this *14<sup>th</sup>* day of *July*, 2021.

