



An
Bord
Pleanála

Board Order
ABP-311245-21

Planning and Development Acts 2000 to 2021

Planning Authority: Offaly County Council

Planning Register Reference Number: 21/350

APPEAL by Sharon Mooney care of Murray Architectural Services of Four Winds, Pallas Park, Blueball, Tullamore, County Offaly against the decision made on the 30th day of July, 2021 by Offaly County Council to refuse permission for the proposed development.

Proposed Development: Construction of a single storey house, packaged wastewater treatment system, polishing filter and all ancillary services and works at Lynally Glebe, Tullamore, County Offaly.

Decision

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

Reasons and Considerations

1. Having regard to:

- (a) the location of the site within a rural area identified as being under strong urban influence in accordance with the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in April 2005,
- (b) 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 demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, and
- (c) the relevant provisions of the Offaly County Development Plan 2021-2027 which provide for consideration to be given to the development of rural housing in areas under strong urban influence for those with a definable social or economic need to live in the open countryside,

the Board is not satisfied, on the basis of the information submitted with the planning application and the appeal, that the applicant has a demonstrable economic or social need to live in this specific rural area. It is considered that the applicant does not come within the scope of the housing need criteria, as set out in the Sustainable Rural Housing Guidelines and in national policy, for a house at this location. In the absence of any identified locally based need for a house at this location, it is considered that the proposed development would result in a haphazard and unsustainable form of 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

undermine the settlement strategy set out in the Offaly County Development Plan 2021-2027. The proposed development would be contrary to the Ministerial Guidelines and to the over-arching national policy, with particular regard to the provisions of the Offaly County Development Plan 2021-2027, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proximity of the proposed development to features of significant archaeological interest, the results of the Archaeological Impact Assessment, and the wider policies and objectives of the Offaly County Development Plan 2021-2027 as regards the protection of archaeological sites and their settings, the Board is not satisfied that the proposed development would not have a detrimental impact on archaeological heritage considerations or that it would not injure or interfere with a historic recorded monument or its setting. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Stephen Brophy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 2 day of Feb 2023.