



An
Bord
Pleanála

Board Order
ABP-311821-21

Planning and Development Acts 2000 to 2021

Planning Authority: Laois County Council

Planning Register Reference Number: 21/571

APPEAL by Michael Chawke of Little Farm, Raheenabrogue, Ballyroan, County Laois against the decision made on the 6th day of October, 2021 by Laois County Council to grant subject to conditions a permission to John Carroll care of Leslie Colton Engineering and Architectural Services of Underhill, Rathmore, Stradbally, County Laois.

Proposed Development: Permission for a dormer dwelling house with attached garage, new entrance, septic tank and percolation area and associated and necessary site works at Raheenabrogue, Ballyroan, County Laois.

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 the location of the site in the hinterlands of Ballyroan and Abbeyleix and within a rural area which would appear to be under urban influence by reference to the pattern of existing housing development in the vicinity, 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 provisions of Section 2.6.1 of the Laois County Development Plan (2017-2023), and the criteria outlined in Table 6 of that plan, it is considered that the applicant does not comply with the local Rural Housing Strategy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the topography and visually prominent nature of the site, the design and scale of the proposed dwelling and its elevated positioning, it is considered that the proposed development would form an obtrusive feature on the landscape at this location such as would seriously injure the visual amenities of the area and would set an undesirable precedent for other such prominently located development in the vicinity and 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 10th day of MAY 2022