

An
Bord
Pleanála

Board Order

ABP-313863-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 21/528

Appeal by Eithne and Sean Gurhy of Kinnypottle, Cavan Town, County Cavan and by others against the decision made on the 26th day May, 2022 by Cavan County Council to grant subject to conditions, a permission to Galetch Sustainable Living Limited care of Michael Fitzpatrick Architects Limited of Main Street, Butlersbridge, County Cavan for the proposed development.

Proposed Development: Demolition of existing derelict dwelling house and erect 26 number three-bed semi-detached dwellings (12 number dormer style semi-detached dwellings with basement and 14 number two-storey semi-detached dwellings) together with entrance, access road, footpath, street lighting, connect to existing public services, landscaping, boundary treatments and all associated works at Aghnaskerry, County Cavan, as revised by the further public notice received by the planning authority on the 1st day of April, 2022.

Decision

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

WAT

Reasons and Considerations

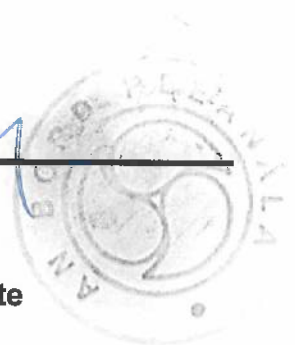
The majority of the appeal site is zoned for “Amenity and Open Space” purposes, within the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town 2022 – 2028, with an objective to “Protect and provide for amenity and open space areas”. The eastern portion of the site is zoned for Existing Residential purposes with an objective to “Protect and enhance the amenity of developed residential communities”.

The proposed development seeks to provide a residential development on lands primarily zoned for “Amenity and Open Space” purposes within the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028. ‘Residential’ is listed as a use which is not permitted on lands zoned for “Amenity and Open Space” purposes. The development would contravene materially the zoning objectives pertaining to the majority of the site as set out within the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028 and would be contrary to the requirements of Strategic aim (ii) of the Development Plan Core Strategy which seeks to promote development that is reflective of the scale of the Core Strategy and zoning maps.



Martina Hennessy

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**



Dated this 4th day of September 2023