



An
Bord
Pleanála

Board Order ABP-315106-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 22/63

Appeal by Edward and Aine Kelly and others care of Frank Burke and Associates of Baldara, Trim Road, Navan, County Meath against the decision made on the 27th day of October, 2022 by Cavan County Council to grant subject to conditions a permission to Eonish Properties Limited care of Custom House Plans of Ballyhaise Road, Cullies, Cavan.

Proposed Development: Construction of three number fully serviced detached bungalow style dwellings complete with basements under, entrance, access road, parking, footpath, street lighting, connection to existing public services, landscaping, boundary treatments and all ancillary works, all at Swellan Lower, Cavan, as revised by the further public notices received by the planning authority on the 11th day of October, 2022.

Decision

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

Reasons and Considerations

1. Development Objective POS 02 of the Cavan County Development Plan 2022-2028 sets out 'the following minimum open space requirements for new dwelling houses - One/Two bedroom, 48sqm-55sqm and 3/4/5 bedroom unit, 60 sqm-75sqm'. The quantum of private open space proposed for the three number three-bed residential units is not in accordance with the requirements of Development Objective POS 02 and in this regard comprises substandard private open space which would injure the amenities of persons occupying the proposed dwellings. The proposed development would be contrary to the requirements of Development Objective POS 02 of the Cavan County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the design and layout of the proposed development, incorporating insufficient private open space and restricted car parking, it is considered that the proposed development would constitute substandard development which would seriously injure the amenities of persons occupying the proposed dwellings and would be inconsistent with the existing pattern of development in the area. The proposed development would be contrary to the requirements of Development Objective DL03 of the Cavan County Development Plan 2022-2028 which outlines that 'Planning proposals for housing schemes are required to present a considered design approach to tailor the scale, design, layout and density of housing in responding to the individual character of the respective town or village'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Stephen Bohan

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

Dated this *9th* day of *November* 2023.