



An  
Bord  
Pleanála

**Board Order**  
**ABP-315992-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Carlow County Council**

**Planning Register Reference Number: 22/60003**

**APPEAL** by Ballyshancarragh Properties Limited care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 16<sup>th</sup> day of February, 2023 by Carlow County Council to refuse permission.

**Proposed Development** The construction of two number semi-detached houses, connection to existing public foul sewer, stormwater sewer and watermain with all associated ancillary site works, all at Granite Court, Fenagh, County Carlow.

## **Decision**

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

## Reasons and Considerations

Policy OS. P8, as set out in the Carlow County Development Plan 2022 – 2028, states that the Council will prohibit the development of areas zoned open space/amenity or areas which have been indicated in a previous planning application as being open space. The proposed development of two houses is located on land designated as open space in planning register reference number 17/132. The removal of this open space would result in the undesirable loss of open space within the overall development of Granite Court, would impact negatively on the public amenities and character of the estate and would materially contravene Policy OS. P8, as set out in the Carlow County Development Plan 2022 - 2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

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

Dated this *3<sup>rd</sup>* day of *July*, 2024.