



An
Bord
Pleanála

Board Order ABP-317158-23

Planning and Development Acts 2000 to 2022

Planning Authority: Offaly County Council

Planning Register Reference Number: 23/113

Appeal by Brendan Coyne care of Infinite Focus of 10 Father McWey Street, Edenderry, County Offaly against the decision made on the 9th day of May, 2023 by Offaly County Council to refuse permission.

Proposed Development: Retention of (i) one number 110 square metres dwelling house as constructed, (ii) installation of a new wastewater treatment system and all associated site development works within the curtilage of a protected structure reference number 36-04 (Thatched House) at Clonavoe, Clonbullogue, 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 the Protected Structure on site (Ref 36-04)) and Policy BH-02 in the Offaly County Development Plan 2021-2027 which seeks to prohibit inappropriate development within the curtilage or attendant grounds of a protected structure which would adversely impact on the special character of the protected structure, it is considered that the development proposed to be retained, by reason of its uncharacteristic design and siting, would materially and adversely affect the character and setting of the Protected Structure and would seriously injure the amenities of the area. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to standards DMS-49 Log Cabins/ Pods of Chapter 13 Development Management Standards of the development plan, which sets out that Log Cabins are not vernacular typologies of the Offaly countryside and are only to be permitted in limited cases, it is considered that the development proposed to be retained is not a vernacular typology of the Offaly countryside, that to permit such a dwelling in this specific location would seriously injure the visual amenities of the area and would set an undesirable precedent for other such developments in the area. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the subject site which is located in the open countryside within an area designated as a rural area under strong urban influence in the development plan, it is considered that the applicant has not demonstrated that he comes within the scope of the housing need criteria as set out in Policy SSP-27, specifically criteria 2 'the applicant does not already own a house in the open countryside' and 4 'high quality siting and design'. The development proposed to be retained, in the absence of any identified locally based need for

the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this *16* day of *September* 2024