



An
Bord
Pleanála

Board Direction
BD-003062-19
ABP-303450-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/05/2019.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the nature, scale and form of the proposed dwelling and its location within the historic demesne and attendant grounds of a protected structure, Dromin House, it is considered that the proposed development would adversely impact on the site, setting and views to and from the designed landscape of Dromin House and, therefore, the setting, character and special interest of this protected structure and would also adversely impact on the visual amenities of the area, and would be contrary to the Architectural Heritage Protection Guidelines for Planning Authorities 2011 issued by the Department of the Arts, Heritage and the Gaeltacht.
Furthermore, the Board was not satisfied based on the plans and particulars submitted with the application that the proposed development would not adversely impact on the roadside hedge and the mature trees contained therein (to achieve the required sightlines), which mature trees form part of the landscape framework that is intrinsic to the setting of the historic demesne associated with Dromin House. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. PA Reason No.5

Note: The Board considered, having regard to the location of the site within an area under strong urban influence as identified in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural generated housing need, and having regard to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy 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*” that the applicants have not demonstrated that they come within the scope of the housing need criteria as set out in the Guidelines and that they have not demonstrated an economic or social need to live in this rural area in accordance with national policy, notwithstanding the provisions of the Louth County Development Plan 2015 - 2021. Furthermore, the Board is not satisfied that the applicants’/appellants’ housing needs could not be satisfactorily met in an established town or village/settlement centre. The proposed development would, therefore, contravene the Ministerial Guidelines, and would be contrary to national policy. However, this issue would represent a new issue in the context of the appeal, and the Board decided not to include it as a further reason for refusal, in the light of the substantive reasons for refusal outlined above.

Board Member

Date: 17/05/2019

Stephen Bohan