



An
Bord
Pleanála

Board Direction
BD-005346-20
ABP-305504-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 10th, 2020.

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

Reasons and Considerations

The proposed development, by reason of its location and distance from the public road, would constitute inappropriate backland development which would be out of character with the established pattern of development in the surrounding rural area and would result in an intrusive encroachment of physical development into the open rural landscape. Such development would militate against the preservation of the rural environment and would set an undesirable precedent for other such development in the vicinity. Furthermore, having regard to the topography of the site, it is considered that the scale, form and design of the proposed dwelling would be unduly dominant in the landscape and would detract from the character and visual amenity of the surrounding rural area. Such development would be contrary to the policy requirements of the Louth County Development Plan 2015 – 2021, which requires that the design and siting of a proposed dwelling is such that it does not detract from the rural character of the landscape or the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board agreed with the Planning Inspector in relation to his proposed second reason for refusal, and was fully satisfied that the applicant had not demonstrated a social or economic need to live in this rural area, and that accordingly the development would be contrary to National Policy Objective 19 of the National Planning Framework. In doing so, the Board did not agree with the conclusion reach by the planning authority. However, the Board decided not to include it as a second reason for refusal in its Order, as it would represent a new issue in the context of the appeal, and decided not to cross-circulate this to the parties for comment prior to decision (as suggested by the Inspector), having regard to the substantive reason for refusal as outlined above.

[Secretariat: Please issue a copy of this Board Direction with the Board Order to the parties.]

Board Member

Date: 10th March 2020

Philip Jones