



An  
Bord  
Pleanála

**Board Direction**  
**BD-005761-20**  
**ABP-305917-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/05/2020.

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

### **Reasons and Considerations**

- 1 The site of the proposed development is located within an 'Area Under Strong Urban Influence' as set out in the Ministerial Guidelines, 'Sustainable Rural Housing Guidelines for Planning Authorities', issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the Westmeath County Development Plan 2014-2020. Furthermore, the subject site is located in a rural area that is under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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 documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development

would be contrary to these Ministerial Guidelines, to the over-arching national policy and having regard to the relevant provisions of the Westmeath County Development Plan 2014-2020, and would, therefore, be contrary to the proper planning and sustainable development of the area.

- 2 The site of the proposed development is located within 'Strong Rural Areas under Significant Urban Influence' as set out in Map 11.1 of the current Development Plan for the area, where emphasis is placed on the importance of designing with the landscape and of siting of development to minimise visual intrusion as set out in the current Westmeath Rural House Design Guidelines, which Guidelines are considered to be reasonable. Having regard to the relatively flat and open terrain, together with the height, depth and scale of the proposed house relative to the site width and relative to the neighbouring dwelling, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would seriously injure the residential amenities of the adjacent dwelling, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note:** the Board noted the recommendation of the Inspector that permission should also be refused having regard to the soil conditions and high water table and that it cannot be satisfied on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and/or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system and that the proposed development would, therefore, be prejudicial to public health. However as this was considered a

new issue within the context of the appeal and where the opportunity to consider this issue was not available to all parties, it was decided not to pursue this further in the current appeal.

**Board Member**

**Date:** 18/05/2020

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Chris McGarry