



An
Bord
Pleanála

Board Direction
BD-007670-21
ABP-308146-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/03/2021.

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 "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 Louth County Development Plan 2015-2021. Furthermore, the subject site is located in an area that is designated 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 application and 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 and that in the absence of an identified locally-based need for the house, the proposed development 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 proposed development would, therefore, be contrary to the Ministerial Guidelines and to the overarching national policy, having regard to the provisions of the current Louth County Development Plan 2015-2021, and would be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied, on the basis of the information provided with the application, including the Flood Risk Assessment, that sufficient evidence has been presented with regard to the specific extent of fluvial flood risk on site, to demonstrate that the proposal would not represent an unacceptable risk to persons, property or the environment and not exacerbate or cause flooding of the subject site and/or adjoining lands. The proposed development would, therefore, contrary to the proper planning and sustainable development of the area.
3. The Board is not satisfied, on the basis of the information provided with the application in relation to foul and surface water drainage and flood risk, that the proposed development would not be prejudicial to public health or pose an unacceptable risk of environmental pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The Board is not satisfied, on the basis of the information provided with the application and appeal, including the Natura Impact Statement, that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of the Dundalk Bay Special Area of Conservation (Site Code: 000455) and the Dundalk Bay Special Protection Area (Site Code: 004026), or any other European Site, in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting permission.

Board Member

Date: 08/03/2021

Chris McGarry