



An  
Bord  
Pleanála

**Board Direction**  
**BD-011315-22**  
**ABP-311889-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/08/2022, where it was decided to defer consideration of this case and to issue a notice under Section 137 to the parties. The response submissions received, the submissions on the file and the Inspector's report were considered at a Board meeting held on 26/09/2022.

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 provisions of the current development plan, Louth County Development Plan 2021-2027, which requires that the son or daughter of a qualifying land owner seeking to build a first home for permanent occupation, is a person who owns a landholding of at least 1.5 hectares and has owned the land for a minimum of 15 years. The Board is not satisfied that sufficient information has been provided that demonstrates that the extent of the landholding complies with this requirement and has been in the ownership of the qualifying land owner for 15 years. In the absence of this information, the Board cannot be satisfied that the applicants come within the scope for a rural house at this location. The proposed development, would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site outside of the development boundary of Clogherhead village and within a rural area under strong urban influence, and to National Policy Objective 19 of the National Planning Framework which, for rural areas under urban influence, seeks 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, it is considered that the applicant has not provided sufficient justification and demonstrated an economic or social need to live in a rural area, having regard to the proximity to Clogherhead village, therefore, the proposed development would not comply with National Policy Objective 19.

When taken in conjunction with existing development in the vicinity of the site, the proposed development may would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, would give rise to the demand for uneconomic provision of infrastructure and would accordingly contravene the provisions of the National Planning Framework and the 2005 Sustainable Rural Housing Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

**Board Member**



Michelle Fagan

**Date:** 26/09/2022