

An
Bord
Pleanála

Board Direction
BD-010400-22
ABP-312021-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/03/2022.

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 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, and in the Louth County Development Plan, 2021-2027, by way of its Rural Policy Zone 2 – Area under Strong Urban Influence where housing is restricted to persons demonstrating local need in accordance with the Table 3.5, it is considered that the applicant does not come within the scope of the housing need qualifying criteria for a rural one-off dwelling house at this location.

In addition, having regard to National Policy Objective 19 of the National Planning Framework (February 2018) 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 demonstrated compliance with National Policy Objective 19.

It is therefore considered that the applicant does not come within the scope of either the economic or social housing need criteria set out in the overarching National

Guidelines of the relevant Local Housing Need Qualifying Criteria of the Development Plan.

The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural car dependent development in an area where there is a strong proliferation of such developments.

It would militate against the preservation of a rural environment that is afforded protection as an area of high scenic quality where inappropriate developments are discouraged and directed to where they can be more sustainably accommodated on serviced lands within settlements making more efficient use of provision of public services and infrastructure.

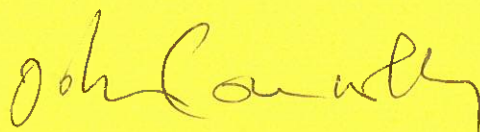
The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Louth County Development Plan, 2021 to 2027, under Section 13.9.5 has a presumption against development that would create and exacerbate ribbon development where ribbon development is defined by way of example as five or more houses on one side of the road with a road frontage of 250m in accordance with Appendix 4 of the Sustainable Rural Housing Guidelines. The Board considers that the proposed dwelling would by virtue of being the fifth house on a road frontage that in this case is less than 250m would give rise to ribbon development and would, given the character of residential development along the road that serves the site, have the potential to give rise to further exacerbation of ribbon development in a manner that would be contrary to Section 13.9.5 of the said plan and would add to the cumulative diminishment of the visual amenities of this rural landscape by way of such developments. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Note: The Board noted the Inspector's recommended reason for refusal relating to endangerment of public safety by reason of traffic hazard and obstruction of road users but considered this to be a new issue in the context of the application and appeal and,

having regard to the substantive reasons for refusal, decided not to pursue this matter further with the parties.

Board Member



Date: 30/03/2022

John Connolly