

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Meath County

**Planning Register Reference Number: LB/150802**

An Bord Pleanála Reference Number: PL 17.245629

**APPEAL** by Anne Reid of Lisdornan, Julianstown, County Meath against the decision made on the 18<sup>th</sup> day of September, 2015 by Meath County Council to grant subject to conditions a permission to Kevin Gogarty care of Keith Ludlow Associates of Teach Na Ri, Kingsgate, Duleek, County Meath in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a new dwellinghouse, new site access and a new wastewater treatment system and percolation area and all associated site works at Lisdornan, Bellewstown, County Meath.

## DECISION

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

1. The site of the proposed development is 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 (2005) and in a 'Rural Area under Strong Urban Influence', which is demonstrating pressure for individual dwellings, and where housing is restricted in accordance with the policies set out in the Meath County Development Plan 2013-2019, as varied. RD POL 2 of the Plan seeks "to facilitate the housing requirements of the rural community as identified while directing urban generated housing to areas zoned for new housing development in towns and villages in the area of the development plan." This policy is considered reasonable. It is considered that the proposed development would conflict with this policy, and that an additional house in this area would, therefore, contribute to the encroachment of random rural development in the vicinity, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, and would be contrary to the proper planning and sustainable development of the area.
2. Policy RD POL 9 of the Meath County Development Plan 2013-2019 seeks to require all applications for rural houses to comply with the Meath Rural House Design Guide, which in turn seeks to "avoid the removal of large sections of hedgerow." Having regard to the scale of well-established original hedgerow that would require to be removed to facilitate sightlines to serve the proposed development, it is considered that the proposed development would fail to be adequately absorbed and integrated into the landscape on a prominent site, would form a discordant and obtrusive feature on the landscape as a result, and would militate against the preservation of the rural environment. The proposed development would, therefore, seriously injure the visual amenities of the area, would conflict with Policy RD POL 9 of the Development Plan and with the provisions of the Meath Rural House Design Guide, and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the proximity of the proposed entrance to a junction and a prominent bend, the Board is not satisfied that the proposed development would not endanger public safety by reason of traffic hazard and obstruction of road users arising from the additional traffic turning movements that would be generated by the proposed development at this location.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share his view in relation to the absence of pressure for non-agricultural related single housing development in this rural area, having regard to its location close to the M1 motorway 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 (2005) and in a 'Rural Area under Strong Urban Influence', as set out in the Meath County Development Plan 2013-2019, as varied, which is identified in that Plan as demonstrating considerable pressure for development of housing. In particular, the Board did not share the Inspector's view that an additional house in an unzoned unserved rural area would not result in increased demands for the uneconomic provision of public services and facilities, including roads infrastructure, telecommunications, electricity, and postal and other services, by itself and cumulatively with other houses in the vicinity.

The Board also noted the policies and objectives set out in the Development Plan in relation to the protection of trees and hedgerows and roadside boundaries, including NH POL13 and RD POL 41. While the Board concurred with the Inspector's view that these policies allow the removal of hedgerows, it was also considered that this does not necessarily make it desirable or appropriate in every instance. Finally, the Board considered that the risk of traffic hazard could not be eliminated, having regard to the layout and proximity of the nearby junction at a prominent bend.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                    day of                    2016.**