



Planning and Development Acts 2000 to 2018

Planning Authority: Meath County Council

Planning Register Reference Number: LB/171494

APPEAL by Anne Reid of Lisdornan, Julianstown, County Meath against the decision made on the 7th day of August, 2018 by Meath County Council to grant subject to conditions a permission to Kevin Gogarty care of Conor English of Adamstown, Garristown, County Dublin.

Proposed Development: Construction of a detached single storey dwelling with accommodation within part of the attic space, new site entrance, the repair and renovation of existing derelict structure for use as domestic garage/storage, proprietary waste water treatment system and all associated works Lisdornan, Bellewstown, County Meath. The proposed development was revised by further public notices received by the planning authority on the 12th day of July, 2018.

Decision

REFUSE permission for the above proposed development in accordance with 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 located 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. 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”, and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in 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 does not come within the scope of the housing need criteria as set out in the Guidelines and does not comply with National Policy Objective 19. The proposed development, in the absence of any identified locally based need for the house, 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.

3. 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.” The proposed development, which would require the removal of approximately 115 metres of long established hedgerow (including mature trees) in order to facilitate sightlines, would conflict with this policy and with the provisions of the Meath Rural House Design Guide, and would, therefore, be contrary to the proper planning and sustainable development of the area.
4. 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 her view that the applicant has demonstrated a need

to live in a rural area. 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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.