



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 18/849

APPEAL by Ruth McGuinness and Shane Sweeney care of A1 Design Services of Unit 5, Ardee Enterprise Centre, Cappocksgreen, Ardee, County Louth against the decision made on the 13th day of December, 2018 by Louth County Council to refuse permission.

Proposed Development: Construction of a single storey dwellinghouse and domestic garage, the installation of a wastewater treatment system and soil polishing filter and associated site works at Dromin, Dunleer, County Louth.

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. Having regard to the nature, scale and form of the proposed dwelling and its location within the historic demesne and attendant grounds of a protected structure, Dromin House, it is considered that the proposed development would adversely impact on the site, setting and views to and from the designed landscape of Dromin House and, therefore, the setting, character and special interest of this protected structure, would seriously injure the visual amenities of the area, and would be contrary to the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011. Furthermore, the Board was not satisfied based on the plans and particulars submitted with the planning application and the appeal that the proposed development would not adversely impact on the roadside hedge and the mature trees contained therein (to achieve the required sightlines), which mature trees form part of the landscape framework that is intrinsic to the setting of the historic demesne associated with Dromin House. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the proposed wastewater treatment system would be in accordance with the requirements of the document entitled “Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)” – Environmental Protection Agency, 2009 and would, therefore, be prejudicial to public health.

Reason: In the interest of public health.

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

Dated this day of 2019.