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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 18591**

**APPEAL** by Heather Cox care of EHP Services of 154 Riverside Drive, Red Barnes Road, Dundalk, County Louth against the decision made on the 17<sup>th</sup> day of January, 2019 by Louth County Council to grant subject to conditions a permission to Antoinette Butterly care of Icon Planning and Designs of Unit 9 Greenhills Industrial Village, Drogheda, County Louth.

**Proposed Development:** Construction of a new two-storey dwellinghouse, detached domestic garage and wastewater treatment system along with all associated site works at Carstown, Termonfeckin, County Louth. Further public notices were received by the planning authority on the 19<sup>th</sup> day of December, 2018 with the further plans and particulars submitted and related to alterations to the internal layout and external design of the dwellinghouse, alteration of the domestic garage roof to match the new dwelling design and the associated percolation area changed from a soil polishing filter to a sand polishing filter.

## **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**

The proposed development is located in an area designated as being under strong urban influence in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, and the site is located on lands zoned Development Zone 4 in the Louth County Development Plan 2015 to 2021, where the objective is to “provide for a greenbelt area around the urban centres of Dundalk, Drogheda and Ardee”. Furthermore, it is national policy as set out the National Planning Framework Objective 19 to “facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic and social need in the rural area...having regard to the viability of smaller towns and rural settlements”. On the basis of the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has demonstrated that her housing need is not urban generated and that she complies with the National and Local Policy as set out in the Louth County Development Plan 2015 to 2021 for a dwelling at this rural location. Furthermore, the Board is not satisfied, based on the plans and particulars submitted with the planning application, that the proposed development would not adversely impact on the roadside hedge and the mature trees contained therein nor that the sightlines to the south of the entrance could be maintained in the long-term. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Ó Niadh**

**Member of An Bord Pleanála**

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

**Dated this            day of            2019.**