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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 1945**

**APPEAL** by James Clarke care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 14<sup>th</sup> day of March, 2019 by Louth County Council to refuse permission.

**Proposed Development:** Construction of a dwelling house, wastewater treatment system and associated site development works at Rockmarshall, Jenkinstown, Dundalk, 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**

Having regard to the location of the site within an 'Area Under Strong Urban Influence' as identified in Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and in an area where housing is restricted to persons demonstrating local need in accordance with the current Louth County Development Plan 2015-2021, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or Section 2.19.1 of the Development Plan for a 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 an economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19.

Accordingly, in the absence of any identified locally-based need for the house, the proposed development 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. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Dave Walsh**

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

**Dated this            day of            2019**