



---

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: LB/180488**

**APPEAL** by Lorna Gissane and Frank Tanner of Creewood, Slane, County Meath against the decision made on the 10<sup>th</sup> day of April, 2019 by Meath County Council to grant subject to conditions a permission to Cornelius O'Hagan care of James Shanley and Associates of Coolfore Road, Ardraccan, Navan, County Meath.

**Proposed Development:** Demolition of existing residence and the construction of a new replacement residence, proprietary wastewater treatment system, close up existing entrance and construct new entrance and all associated site development works at Creewood, Slane, County Meath. Further public notices were received by the planning authority on the 15<sup>th</sup> day of March, 2019.

## **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. On the basis of the information submitted with the planning application and the appeal, including the drawing 'Existing Dwelling Plans and Elevations' related to the structure on site described as 'existing dwelling' which shows no evidence of any internal walls, or features related to a habitable dwelling, such as sanitary facilities, and having regard to the current visual state of that structure and to the planning history of the site, specifically application SA101011, it is considered that there is insufficient evidence that the structure constitutes a habitable dwelling. In this regard, the proposed development would contravene the objectives set out at Section 10.15.1 of the Meath County Development Plan 2013-2019. Furthermore, the site of the proposed development is located 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 in April, 2005 and in a 'Strong Rural Area' according to Map 10.1 of the Meath County Development Plan 2013-2019, wherein urban generated housing is directed to areas zoned for new housing development in towns and villages. In addition, it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside, in areas under urban influence, based on the core consideration of demonstrable economic or social need to live in a rural area and having regard to siting and design criteria and the viability of smaller towns and rural settlements and, in rural areas elsewhere, having regard to the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area, or that the applicant's housing needs could not be satisfactorily met in a smaller town or rural settlement. It is, therefore,

considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would form a discordant feature on the landscape at this location, which would fail to be adequately absorbed and integrated into its landscape by way of its lack of site sensitive design and layout, would militate against the preservation of the rural environment and would seriously injure the amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

---

**Chris McGarry**

**Member of An Bord Pleanála**

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

**Dated this            day of            2019.**