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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 18/6349**

**APPEAL** by Angelika de Barra of Rattin, Kinnegad, County Westmeath against the decision made on the 10<sup>th</sup> day of June, 2019 by Westmeath County Council to grant subject to conditions a permission to Amanda Judge and Finian Newman care of Darren Bermingham of Killowen, Castlejordan, Tullamore, County Offaly.

**Proposed Development:** Construction of a dormer type dwellinghouse, a detached domestic garage/fuel store, installation of an effluent treatment system/polishing filter and any associated site works at Rattin, Kinnegad, County Westmeath.

**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 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 an area where housing is restricted to persons demonstrating local need in accordance with the Westmeath County Development Plan 2014-2020. Furthermore, the subject site is located in a rural area that is under urban influence, where 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 based on the core consideration of demonstrable economic or social need to live in a rural area. 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. It is considered, therefore, 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 and would 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.**