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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 19/6061**

**APPEAL** by William Tilley and others care of Carrick, Dalystown, Mullingar, County Westmeath against the decision made on the 23<sup>rd</sup> day of July, 2019 by Westmeath County Council to grant subject to conditions a permission to Jack and Ruth Hanrahan care of BGM Consulting Engineers of Ranaghan, Castlepollard, County Westmeath for the proposed development.

**Proposed Development:** Planning permission for a private dwelling house, proprietary effluent treatment system and percolation area, domestic garage, entrance onto public road and all ancillary site services at Kilbrennan , Dalystown , Mullingar, 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 wherein it is policy to distinguish between urban generated and rural generated housing need. 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 viability of smaller towns and rural settlements. Having regard to the documentation submitted with the planning application and the appeal, including the described nature of the employment of one of the applicants, the Board is not satisfied that the applicants have a demonstrable economic or social need to live in this rural area or that their housing need could not be satisfied by living in a smaller town or settlement. 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, notwithstanding the provisions of the Westmeath County Development Plan 2014-2020. The proposed development would be contrary to the Ministerial Guidelines and to

the over-arching national policy and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**