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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: AA/191493**

**APPEAL** by Kathleen McDonagh care of PDC Architectural of Churchfields, Kentstown, Navan, County Meath against the decision made on the 9<sup>th</sup> day of January, 2020 by Meath County Council to refuse permission.

**Proposed Development:** Retention of existing two bedroom, single storey demountable dwelling unit (circa 30 square metres) and Oakstown treatment system with sand polishing filter, with associated site works at Cushinstown, Rathfeigh, Navan, County Meath.

**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. It is considered that the development for which retention is sought, by itself or by the precedent which the grant of permission for it would set for other relevant development would endanger public safety by reason of traffic hazard because the site is located alongside the heavily-trafficked National Primary Road N2 at a point where a speed limit of 100 km/h applies and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the public road. Furthermore, the sightlines at the entrance are deficient. The development for which retention is sought would, therefore, be contrary to the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January, 2012 and would contravene the objectives of the planning authority to safeguard the capacity and safety of the national road network.

2. Having regard to the location of the site within an Area Under Strong Urban Influence as identified in the current development plan for the area and 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 current Meath County Development Plan 2013-2019, it is considered that the applicant has not demonstrated compliance with the housing need criteria as set out in the Guidelines or the development plan for a dwelling at this location. The development for which retention is sought, in the absence of any identified locally based need for the dwelling, 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 development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**