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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: AA181530**

**APPEAL** by Dolent Properties LP care of CEA Architects of 15 Mill Road, Middleton, County Cork against the decision made on the 16<sup>th</sup> day of January, 2020 by Meath County Council to refuse permission.

**Proposed Development:** A two-storey 83 room (94 bed space) nursing home with associated nursing accommodation facilities, car parking, two site entrances and all associated site works at Hunters Lane, Dunreagh, Ashbourne, County Meath. The proposed development was revised by further public notices received by the planning authority on the 12th day of December, 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. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that adequate information has been provided on the impact of the proposed development on Malahide Estuary Special Area of Conservation (Site Code:000205) and Malahide Estuary Special Protection Area (Site Code:004025). It is considered therefore that the Board is unable to ascertain, as required by Regulation 27(3) of the European Communities (Natural Habitats) Regulations, 1997, that the proposed development will not adversely affect the integrity of a European Site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site of the proposed development is located within an area which is at risk of flooding. The Board is not satisfied, on the basis of the information lodged with the planning application and with the appeal, that the proposed development would not give rise to a heightened risk of flooding either on the proposed development site itself, or on other lands. In particular, the Board is not satisfied that the design and capacity of the proposed flood storage measures have been adequately detailed or that their effectiveness has been satisfactorily demonstrated in the documentation submitted. The proposed development of this highly vulnerable use would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

3. Having regard to the pattern of development in the vicinity, it is considered that, by reason of the extensive linear form and layout of the proposed nursing home and relationship with the adjoining roads, the extent of hard landscaping and car parking provision to the front of the building line, the proposed development fails to provide an appropriate form of development for this location and would detract from the streetscape and visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020.**