



Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: RA/200809

APPEAL by Amy Ennis and Joe O'Connell care of Brendan English Architectural Services of Castlemartin, Navan, County Meath against the decision made on the 18th day of August, 2020 by Meath County Council to refuse permission for the proposed development.

Proposed Development: Construction of new single storey dwelling with proprietary wastewater treatment system and percolation area, new entrance onto public road and replacement of neighbouring septic tank with new proprietary wastewater treatment system and percolation area and all associated site works at Rath Hill, Dunshaughlin, 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. Having regard to the location of the site within a “Rural Area Under Strong Urban Influence” as identified 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, and having regard to National Policy Objective 19 of the National Planning Framework adopted by the Government, in relation to rural areas under urban influence which states that it is policy 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”, it is considered that the applicants have not demonstrated that they come within the scope of the housing need criteria as set out in the Guidelines and have not demonstrated an economic or social need to live in this rural area in accordance with national policy, and with the provisions of the Meath County Development Plan 2013-2019. Furthermore, the Board is not satisfied, on the basis of the information on the file, that the applicants’ housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development, in the absence of any definable or demonstrable based need for a house in this rural area, 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 proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, and the provisions of the Meath County Development Plan 2013-2019 and would be contrary to the proper planning and sustainable development of the area.

2. It is the policy of the planning authority as set out at section 10.5.2 of the Meath County Development Plan 2013-2019, to control urban sprawl and ribbon development. This policy is considered to be reasonable. In addition, Appendix 4 of the Ministerial Guidelines, 'Sustainable Rural Housing, Guidelines for Planning Authorities', published in 2005 by the Department of the Environment, Heritage and Local Government, recommend against the creation of ribbon development. It is considered that the proposed development would be in conflict with the development plan policy and with the Ministerial Guidelines because, when taken in conjunction with existing development in the vicinity of the site, it would consolidate and contribute to the build-up of ribbon development in an open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Maria FitzGerald
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2021.