



Planning and Development Acts 2000 to 2020

Planning Authority: Louth County Council

Planning Register Reference Number: 20757

APPEAL by Sarah McCann of Little Road, Dromiskin, Dundalk, County Louth against the decision made on the 13th day of November, 2020 by Louth County Council to refuse permission for the proposed development.

Proposed Development: Dwelling house, septic tank and percolation area, access to site off existing residential laneway and all associated site works at Mooretown, Dromiskin, County Louth.

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: -

- (i) the location of the proposed development in a rural area, classified as Development Zone 4 within the Louth County Development Plan 2015-2021, which seeks to provide for a greenbelt area around the urban centres of Dundalk, Drogheda and Ardee and to preserve a clear distinction between the built-up areas of settlements and the surrounding countryside and where applicants must demonstrate a genuine local need to live in this area,
- (ii) the national policy, as set out in National Policy Objective 19 of the National Planning Framework 2018 and the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and local Government in April 2005, that 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, and
- (iii) the documentation submitted with the application and appeal,

the Board is not satisfied that the applicant has provided sufficient justification for a rural housing need to live in this rural area, or that the applicant's housing need cannot be satisfied in a smaller town or rural settlement, particularly in light of the site's proximity to the village of Dromiskin. While the Board acknowledges that the applicant has family ties to the area and complies with the relevant local need criteria of the County Development Plan, it is considered that the threshold to demonstrate a functional economic or social need to build a rural house in this area under development pressure has not been met. In the absence of a sufficient justification, it is considered that the proposed development would contribute to the development of random rural housing 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 be contrary to the Sustainable Rural Housing Guidelines and to overarching national policy, notwithstanding the provisions of the Louth County Development Plan 2015-2021 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development, by reason of its distance from the public road, would constitute inappropriate backland development which would result in an intrusive encroachment of physical development into this open rural landscape. To permit the development would militate against the preservation of the rural environment and would set an undesirable precedent for other similar inappropriate development in the vicinity in this rural area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2021.