

An  
Bord  
Pleanála

Board Order  
ABP-309178-21

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## Planning and Development Acts 2000 to 2020

**Planning Authority:** Louth County Council

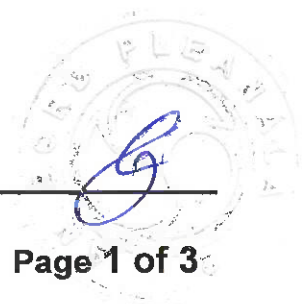
**Planning Register Reference Number:** 20894

**APPEAL** by Alan Cassidy care of Declan P. Walsh and Company of Main Road, Tullyallen Village, Drogheda, County Louth against the decision made on the 11<sup>th</sup> day of December, 2020 by Louth County Council to refuse permission.

**Proposed Development:** Construction of single storey dwellinghouse, with proprietary wastewater treatment system, construction of new garage/outbuilding for domestic use, and all associated site development works at Balgatheran, Drogheda, 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. The proposed development is located in a rural area designated as being under strong urban influence in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in April, 2005. Having regard to the location of the site within a rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks 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 applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

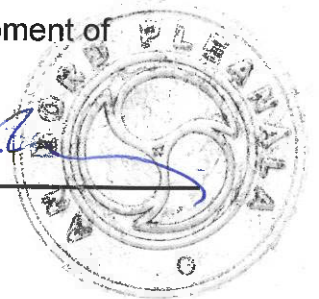
2. The proposed development, by reason of its location and distance from the public road and requirement of a new driveway (circa 170 metres in length) would constitute inappropriate backland development which would result in an intrusive encroachment of physical development into this open rural landscape. The proposed development would militate against the preservation of the rural environment and would set an undesirable precedent for other such development in the vicinity. Such development would be contrary to the zoning objective for Development Zone 4 to provide for a greenbelt around the urban area of Drogheda and Policy SS 26 of the Louth County Development Plan 2015-2021 which requires that the siting of a proposed dwelling is such that it does not detract from the rural character of the landscape or the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The applicant has failed to demonstrate the provision of the required minimum sight visibility of three metres setback by 75 metres in each direction at the entrance of the existing laneway within the public road. As such, the development would be prejudicial to road safety, contrary to Policies SS 59 and TC 12 of the Louth County Development Plan 2015-2021, and to the proper planning and sustainable development of the area.



**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 25<sup>th</sup> day of MAY 2021.