

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: KA/201571

APPEAL by Martin and Winnie O'Donnell care of Margaret McDonagh of Martinstown, Athboy, County Meath against the decision made on the 15th day of December, 2020 by Meath County Council to refuse permission.

Proposed Development: Retention of a mobile home on site, and permission for a new entrance and removal of hedge on the R154 and replacement with semi-mature indigenous planting, and planting four metres back from the road frontage behind a three metres grass verge to accommodate the required 90 metres sightlines, also wayleave access from landowner (marked yellow on site layout map) to access land connection to a BAF sewage treatment system, private well on a previously approved planning application, planning register reference number KA/100917, as extended by planning register reference number KA/160340 and all ancillary site works, at Martinstown, Athboy, 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 of the development to be retained and the proposed development in a 'Rural Area Under Strong Urban Influence', as set out in Section 2.7 and Map 10.1 of the Meath County Development Plan 2013 - 2019, and in accordance with Section 3.2 of the 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and rural-generated housing need, for such areas, Policy RD POL 2 of the development plan requires that urban generated housing be directed to areas zoned for new housing development in towns and villages in the area of the development plan. Furthermore, National Policy Objective 19 of the National Planning Framework seeks to ensure that in rural areas under urban influence, planning authorities should 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.

Having regard to the documentation submitted with this application, which includes evidence that the applicant has a permanent home elsewhere, notwithstanding the justifications put forward by the applicant as to the social need to have a home in this rural locality, it is considered

that the applicant's need for a house is urban generated and not generated by a genuine social and/or economic need for a house in this rural locality. In this context, the development to be retained and sought under this application would contribute to the encroachment of random development in an unserved rural area and would also militate against safeguarding and preserving this rural locality for its predominant agricultural functions and what limited capacity there is to meet those with genuine demonstratable social and/or economic housing needs of those with intrinsic links to this rural locality. The development sought under this application would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is the policy of the planning authority, as set out in the Meath County Development Plan 2013 - 2019, to ensure that the design and layout of all residential developments have regard to the character of the area and achieve attractive and sustainable development through better design. This is in part provided for under Section 10.7 and Policy RD POL 9 which seeks such developments to comply with the 'Meath Rural House Design Guide'. This is similarly advocated under the 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of Environment, Heritage and Local Government in April, 2005, for such developments. It is considered that the development sought under this application would provide substandard residential amenities both internally and externally for its occupants and that it would also give rise to an incongruous built form insertion into this rural landscape and would have the characteristics of piecemeal backland development. If permitted, this development would be out of character with its rural locality and would set an undesirable precedent for similar developments in the area. The development sought under this application is, therefore, not considered to be in accordance with the proper planning and sustainable development of the area.

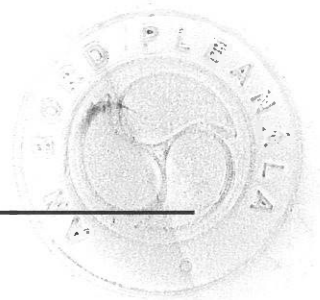
3. Access to the public road network is proposed via an existing cul-de-sac entrance onto the R154 which has inadequate sightlines to the north and south. There is also a proliferation of entrances in both directions and this section of the R154 has a meandering and undulating horizontal as well as vertical alignment. The R154 is identified as a strategic corridor under the Meath County Development Plan, 2013 - 2019. Policies RD POL 39 and RD POL 40 indicate that the planning authority will avoid unnecessary and excessive access/egress points which would prejudice the carrying capacity and ultimately the function of this road. It also sets out that new access for one-off dwellings will be restricted where the 80km/h speed limit applies and that the planning authority will seek to avoid the premature obsolescence of regional roads like the R154. It is considered that the development sought under this application would be contrary to those policies, and that it would endanger public safety by reason of traffic hazard as a result of the additional traffic turning movements the development would generate at a point where the sightlines are restricted in both directions onto the R154, and the 80km/h speed limit applies. The development sought under this application is, therefore, considered to 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 24th day of May 2021.