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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 20382**

**APPEAL** by Edward O'Malley of Millockstown House, Ardee, County Louth against the decision made on the 14<sup>th</sup> day of January, 2021 by Louth County Council to grant subject to conditions a permission to Avril Power care of Doherty Design Services of Aclare, Drumconrath, County Louth.

**Proposed Development:** Construction of a single storey dwelling with attic storage, domestic garage and all development works including new proprietary wastewater treatment system and polishing filter and access to public roadway at Millockstown, Ardee, County Louth. Further public notices were received by the planning authority on the 17<sup>th</sup> day of December, 2020 which included the following: to close up existing agricultural gate to field and the replacement of the proposed polishing filter with a sand polishing filter on top of an integration filter.

**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**

Having regard to the location of the site within an '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, and in an area where housing is restricted to persons demonstrating local need in accordance with the current Louth County Development Plan, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or Section 2.19.1 of the development plan for a house at this location.

In addition, having regard 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 and, therefore, the proposed development does not comply with National Policy Objective 19.

Accordingly, in the absence of any identified locally based need for the house, the proposed development 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 proper planning and sustainable development of the area.

*T. Ó Niadh*

**Terry Ó Niadh**

**Member of An Bord Pleanála**

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

Dated this *28<sup>th</sup>* day of *May*, 2021.

