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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 20/7091**

**APPEAL** by Grainne Robins of Kilfaughney, Glasson, Athlone, County Westmeath against the decision made on the 16<sup>th</sup> day of February, 2021 by Westmeath County Council to grant subject to conditions a permission to Fidelma McCormack and Niall Scullion care of Eric Nugent and Associates, Planning and Design Consultants of 20 Saint Francis Terrace, Athlone, County Westmeath.

**Proposed Development:** Construction of a single-storey dwelling house and garage with proprietary treatment unit and tertiary soil polishing filter percolation area and all associated site works at Ballnagarby (Mullock), Moate, County Westmeath.

### **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 Strong Rural Area Under Significant Urban Influence as designated in the Westmeath County Development Plan 2021-2027, to the expanse of one-off housing and the prevailing pattern of ribbon development in the area, and to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and the National Policy Objectives of the National Planning Framework, which seek to manage the growth of areas that are under strong urban influence to avoid over-development and to ensure that the provision of single housing in rural areas under urban influence are provided based upon demonstrable economic or social need to live in a rural area, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the Westmeath County Development Plan and the Sustainable Rural Housing Guidelines for a house at this rural location and do not comply with National Policy Objectives. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area, would exacerbate the pattern of ribbon development, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, thus, be contrary to the provisions of the Westmeath County Development Plan as they relate to rural housing need and ribbon development, the Sustainable Rural Housing

Guidelines for Planning Authorities and the rural policy provisions of the National Planning Framework, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that, when taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive density of development served by private effluent treatment systems in the area and would, therefore, be prejudicial to public health.



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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this **18<sup>th</sup>** day of **June** 2021

