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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 20774**

**APPEAL** by Mark and Claire Boyle care of EHP of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 12<sup>th</sup> day of February, 2021 by Louth County Council to grant subject to conditions a permission to Nicy Jose care of P. Herr and Associates of Block 4, Third Floor, Quayside Business Park, Mill Street, Dundalk, County Louth.

**Proposed Development:** Construction of a dwelling house, wastewater treatment system and associated site development works at Greenmount, Castlebellingham, County Louth. Further public notices were received by the planning authority on the 26<sup>th</sup> day of January, 2021.

**Decision**

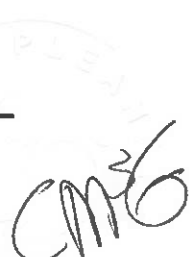
**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **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.

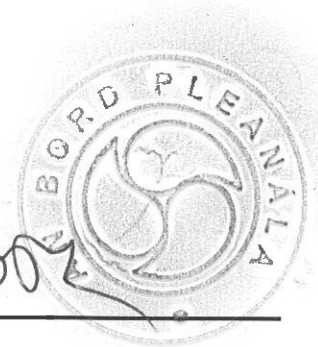
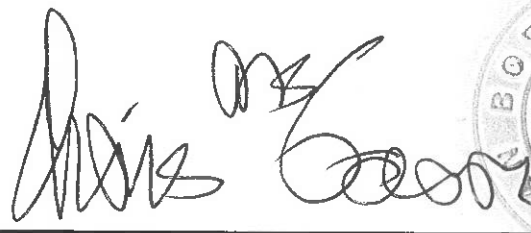
## **Reasons and Considerations**

The proposed development is located in an area designated as under strong urban influence in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, wherein it is policy to distinguish between urban-generated and a rural-generated housing need in rural areas, and to National Policy Objective 19 as set out in the National Planning Framework, adopted by the Government in February 2018, in relation to rural areas under urban influence, 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”. In addition, the site is located on lands zoned ‘Zone 5’ in the Louth County Development Plan 2015-2021 where the objective is “to protect and provide for the development of agriculture and sustainable rural communities and to facilitate certain resourced based and location specific developments of significant regional or national importance”. On the basis of the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has demonstrated a rural-generated housing need for a house at this specific rural location, nor that the housing needs of the applicant cannot be satisfactorily met in a smaller town or settlement.



Furthermore, it is considered that the proposed development would undermine the consolidation of Castlebellingham/Kilsaran development area. As a result, the proposed development would give rise to demands for the uneconomic provision of public services and community facilities and would be contrary to the settlement strategy and zoning provisions of the Louth County Development Plan 2015-2021.

The proposed development would, therefore, be contrary to the Ministerial Guidelines and to over-arching national policy and having regard to the relevant provisions of the Louth County Development Plan 2015-2021. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Chris McGarry**

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

Dated this <sup>25<sup>th</sup></sup> day of June 2021