

An
Bord
Pleanála

Board Order
ABP-309695-21

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: KA/201978

APPEAL by Louis Murtagh care of Strand Architects of Community Hall, Main Street, Baldoyle, Dublin against the decision made on the 17th day of February, 2021 by Meath County Council to refuse permission to the said Louis Murtagh.

Proposed Development: Construction of a new single story dwellinghouse, the installation of a wastewater treatment plant and soil polishing filter, the modification of an existing site entrance gate and all associated site works, all at Faughanhill, Bohermeen, Navan, 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

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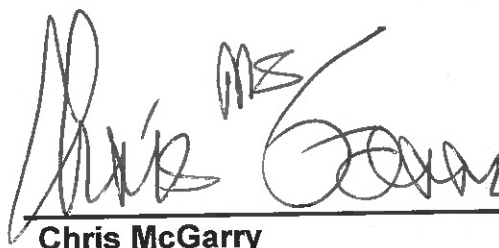
thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. The site of the proposed development is located within an “Area Under Strong Urban Influence” as set out 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 rural generated housing need, and in a “Strong Rural Area” as identified in the Meath County Development Plan 2013-2019 (as varied). Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Policy Framework, published by Government in February 2018, 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. Having regard to the submissions made in connection with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area, or that the housing needs of the applicant cannot be met in a nearby town or settlement.

It is considered that 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. The proposed development would be contrary to the Ministerial Guidelines and to overarching national policy and having regard to the relevant provisions of the Meath County Development Plan 2013-2019 (as varied). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

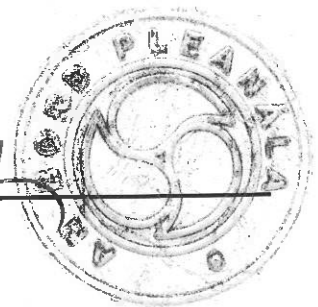
2. The proposed development would give rise to an excessive density of development in a rural area lacking certain public services and community facilities and would establish an undesirable precedent for further similar development. Furthermore, the proposed development would be contrary to the policies and objectives, as set out in the Meath County Development Plan 2013-2019 (as varied) which seek to provide more sustainable formats of development within the rural area, through supporting the vitality of lower order centres and existing local community facilities, including policies/objectives RD POL 4, RD POL 8, RUR DEV SO 5, CS OBJ 10 and RD OBJ 1. Such policies and objectives are considered to be reasonable. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed development would contravene materially conditions attached to existing permissions for development, namely, condition number 3 of KA/40669 and condition number 3 of KA/40653 which provide for the sterilisation from any housing or non-agricultural development on the entire remainder of the landholding of which the appeal site forms part. The requirements of such conditions are considered reasonable having regard to the existing level of development in the area. 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 5th day of July 2021.