

Planning and Development Acts 2000 to 2020

Planning Authority: Meath County Council

Planning Register Reference Number: AA201732

APPEAL by James Murphy care of John Callaghan of 10 The Cloisters, Kells, County Meath against the decision made on the 13th day of May, 2021 by Meath County Council to refuse permission.

Proposed Development: Construction of a two-storey detached dwelling, detached garage, upgrade of existing entrance off the public road, conventional septic tank and percolation area and all ancillary site works as amended by the revised public notice received by the planning authority on the 19th day of April, 2021, all at Lismullen, Garlow Cross, 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 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 an "Area Under Strong Urban Influence" as identified on Map 9.1 of the Meath County Development Plan 2021 – 2027 and in 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 (February 2018), 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, and in an area where housing is restricted to persons demonstrating local need in accordance with the Development Plan, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Sustainable Rural Housing Guidelines and National Policy Objective 19 for a house at this location. The proposed development, in the absence of any identified economic based need for the house, 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. It is considered that the proposed development would, therefore, be contrary to Ministerial Guidelines and to the over-arching national policy. The proposed development would be contrary to the proper planning and sustainable development of the area

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

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the applicant does not come within the scope of the housing need criteria as set out in the Sustainable Rural Housing Guidelines and National Policy Objective 19 for a house at this location. The proposed development, in the absence of any identified economic based need for the house, 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.

Furthermore, notwithstanding the outline permission granted on the site for a house and associated septic tank and percolation area under planning register reference number AA191397, the Board considered that the imposition of conditions would not adequately address the potential for adverse effects on public health due to the proliferation of individual private effluent treatment systems.



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



Dated this 17th day of December 2021.