



An
Bord
Pleanála

Board Order
ABP-310931-21

Planning and Development Acts 2000 to 2021

Planning Authority: Louth County Council

Planning Register Reference Number: 21581

APPEAL by Stephen McGowan care of Foresight Design and Planning of Grangebellew, Drogheda, County Louth against the decision made on the 2nd day of July, 2021 by Louth County Council to refuse permission.

Proposed Development: Dwelling house, domestic garage, waste water treatment system and polishing filter percolation area, new vehicular entrance onto existing shared access drive and use of existing shared vehicular entrance onto public road and associated site development works at Rathdaniel, Tinure, County Louth.

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 rural area under urban influence, and 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 having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. Furthermore, it is considered that the applicant has not demonstrated a rural housing need in respect of any of the relevant qualifying criteria set out in section 3.17.4 of the Louth County Development Plan 2021-2027, or those in the previous plan. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its location would constitute an inappropriate and suburban form of piecemeal development and would result in a further intrusive encroachment of physical development into the open rural landscape. The proposed development in itself, and in conjunction with the concurrent planning applications for additional dwellings along the laneway, would militate against the preservation of the rural environment, and would set an undesirable precedent for other such development in the vicinity in this rural area. Such development would be contrary to policy objective HOU 47 of the Louth County Development Plan 2021-2027 which requires applications for one off rural housing to comply with the standards and criteria set out in Section 13.9 of Chapter 13 Development Management Guidelines "Housing in the Open Countryside". The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the location of the application site along a substandard laneway and the lack of detail within the application regarding proposals to upgrade this lane, it is considered that the proposed development would endanger public safety by reason of a traffic hazard and would be contrary to the proper planning and sustainable development of the area.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *26th* day of *Jan.* 2022

