

Planning and Development Acts 2000 to 2021

Planning Authority: Westmeath County Council

Planning Register Reference Number: 21/40

APPEAL by Paul Stark of Pearsonbrook, Glasson, County Westmeath against the decision made on the 29th day of June, 2021 by Westmeath County Council to grant subject to conditions permission to Robert Buckley care of AQ Design of Cluain Cottage, Knockmartin, County Longford.

Proposed Development: Construction of a new split-level single-storey dwelling with detached garage, provision of new entrance, boundary wall/fence, installation of new wastewater treatment system, percolation area and ancillary site works at Pearsonbrook, Glasson, Athlone, County Westmeath.

Decision

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

Reasons and Considerations

1. Having regard to:
 - (a) the location of the site within a rural area identified as being under strong urban influence in accordance with the 'Sustainable Rural Housing Guidelines for Planning Authorities' published by the Department of the Environment, Heritage and Local Government in April 2005,
 - (b) 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 demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, and
 - (c) the relevant provisions of the Westmeath County Development Plan, 2021-2027 which provide for consideration to be given to the development of rural housing in areas under strong urban influence for those with a definable social or economic need to live in the open countryside,

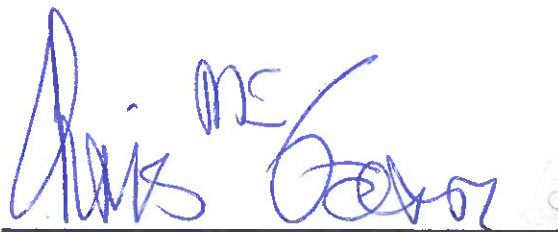
the Board is not satisfied, on the basis of the information submitted with the application and the appeal, that the applicant has a demonstrable economic or social need to live in this specific rural area. It is considered, therefore, that the applicant does not come within the scope of housing need criteria, as set out in the Sustainable Rural Housing Guidelines and in national policy, for a house at this location. In the absence of any identified locally based need for the house at this location, it is considered that the proposed development would result in a haphazard and unsustainable form of 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 undermine the settlement strategy set out in the Westmeath County

Development Plan, 2021-2027. The proposed development would be contrary to the Ministerial Guidelines and to the over-arching national policy, with particular regard to the provisions of the Westmeath County Development Plan, 2021-2027, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would endanger public safety by reason of traffic hazard and the obstruction of road users due to the additional traffic movements that would be generated onto the minor laneway directly serving the site which is seriously substandard in terms of width, alignment and structural condition and which laneway joins with the wider road network (L1437) to the north-east at a junction which is substandard in terms of sightlines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. It is considered that, when taken in conjunction with existing development in the vicinity, and in the absence of sufficient information submitted with the application and the appeal on the siting of separate wastewater treatment systems in the vicinity and an assessment of cumulative impact, the proposed development would result in an excessive concentration of development served by individual wastewater treatment systems in the area. The proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

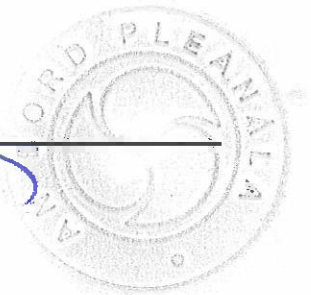


4. Having regard to the site location within the visually sensitive Lough Ree & Shannon Corridor Landscape Character Area, as designated in the Westmeath County Development Plan, 2021-2027, and to the requirement of the proposed development to remove a significant amount of mature hedgerows and trees in order to accommodate the proposed development, it is considered that, by reason of its prominent hillside position and the nature and extent of the works concerned, the proposed development would be detrimental to the scenic amenity value of the area and would be unduly visually obtrusive thereby interfering with the character of the surrounding rural landscape. 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 23th day of July 2022.