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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 20836**

**APPEAL** by Padraig Smyth care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 2<sup>nd</sup> day of July, 2021 by Louth County Council to grant subject to conditions a permission to Sarah Louise Brennan and Andrew McGuinness care of McGuigan Architects of 6 Plantation Terrace, Monaghan, County Monaghan.

**Proposed Development** Permission to construct a two-storey dwelling, single storey detached garage, new waste water treatment system and new entrance with gates and piers together with all associated works, all at Milltown, Dromiskin, County Louth, as revised by the further public notice received by the planning authority on the 11th day of June, 2021 which includes (1) amendment to site boundary, (2) amendment to site access and visibility splays, (3) amendment to boundary planting and landscaping, (4) revised dwelling plans, (5) amended site layout, (6) amended drainage details to layout, and (7) provision of details for gates and piers.

## 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

Having regard to the location of the site within a rural area under urban influence in accordance with the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in 2005, 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, and to the objectives of the Louth County Development Plan 2021 - 2027 which seek to discourage urban generated housing in rural areas and to direct proposals for such housing to the towns and villages in Settlement Levels 1-4 in the County and which seek to manage the development of rural housing in the open countryside by requiring applicants to demonstrate compliance with the Local Needs Qualifying Criteria, it is considered that the applicants do not come within the scope of either the economic or social housing need criteria, as set out in the overarching National Guidelines or the relevant Local Housing Need Qualifying Criteria of the Development Plan.

The proposed development, in the absence of any identified locally based need for the house at this location, would result in a haphazard and unsustainable form of development in an unserved area, would contribute to the encroachment of random rural development in the area and would mitigate against the preservation of the rural environment and the efficient provision of public services and infrastructure and undermine the settlement strategy, as set out in the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 18<sup>th</sup> day of January 2022.

