



Planning and Development Acts 2000 to 2021

Planning Authority: Louth County Council

Planning Register Reference Number: 21888

APPEAL by Neil Kelly care of Riette Gora of Studio 6B Architects, Brannigans Cross, Collon, County Louth against the decision made on the 14th day of October, 2021 by Louth County Council to grant subject to conditions a permission to Cian McEvoy and Courtney Jasper care of Foresight Design and Planning of Grangebellew, Drogheda, County Louth.

Proposed Development: Proposed dwelling house, domestic garage, connection into existing public sewer, new vehicular entrance onto access road, use of existing vehicular entrance onto public road and all associated site development works at Callystown, Clogherhead, County Louth. Further public notices were received by the planning authority on the 24th day of September, 2021.

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 the provisions of the Louth County Development Plan 2021-2027, which requires that the son or daughter of a qualifying landowner seeking to build a first home for permanent occupation, is a person who owns a landholding of at least 1.5 hectares and has owned the land for a minimum of 15 years. The Board is not satisfied that sufficient information has been provided that demonstrates that the extent of the landholding complies with this requirement and has been in the ownership of the qualifying landowner for 15 years. In the absence of this information, the Board cannot be satisfied that the applicants come within the scope for a rural house at this location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site outside of the development boundary of Clogherhead village and within a rural area under Strong Urban Influence, and to National Policy Objective 19 of the National Planning Framework 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 provided sufficient justification and demonstrated an economic or social need to live in a rural area, having regard to the proximity to Clogherhead village, and therefore, the proposed development would not comply with National Policy Objective 19 of the National Planning Framework.



3. When taken in conjunction with existing development in the vicinity of the site, 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, would give rise to the demand for uneconomic provision of infrastructure and would accordingly contravene the provisions of the National Planning Framework and the 2005 Sustainable Rural Housing Guidelines. 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 *28th* day of *September* 2022.