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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 21/1715**

**APPEAL** by Kathleen McDonagh of Cushinstown, Rathfeigh, Navan, County Meath against the decision made on the 26<sup>th</sup> day of October, 2021 by Meath County Council to refuse permission for the proposed development.

**Proposed Development:** Retention planning permission for existing three bedroom, single storey demountable dwelling unit (circa 40 square metres) and planning permission for new Oakstown treatment system with sand polishing filter, with associated site works at Cushinstown, Rathfeigh, 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.

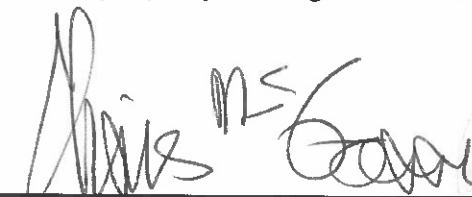
## Reasons and Considerations

1. The subject site is located in a rural area which is identified by the Meath County Development Plan 2021-2027 as being under strong urban influence and in an Area Under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government in 2005. Furthermore, National Policy Objective 19 of the National Planning Framework (2018) outlines that in such areas, single housing proposals shall be facilitated 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 Policy RUR DEV SP 2 of the Meath County Development Plan 2021-2027 also requires that individual house developments shall satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed. The applicant has not demonstrated an economic or social need to live in a rural area and has not demonstrated that they are an intrinsic part of the rural community in which the development is located. The development for which retention permission is sought and the proposed development, therefore, would be contrary to the Ministerial Guidelines, would not be in accordance with National Policy Objective 19 of the National Planning Framework and would materially contravene the relevant rural housing policies of the Meath

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County Development 2021-2027. The development for which retention permission is sought and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The location of the entrance to the development for which retention permission is sought and the proposed development is directly onto the N2, a national strategic route, at a location where the speed limit of 100 km/h applies. It is the policy of Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in 2012 as reflected in Policy MOV POL 24 of the Meath County Development Plan 2021-2027 to prevent the creation of additional individual entrances and intensification of movements at existing entrances which open directly onto national routes at locations outside the 60 km/h zone, to facilitate the efficiency and effectiveness of the national strategic road network. The entrance and the additional turning movements created by the development would interfere with the unobstructed, safe and free flow of traffic on the route, would, therefore, be contrary to the Ministerial Guidelines and would materially contravene Policy MOV POL 24 of the Meath County Development Plan 2021-2027. The development for which retention permission is sought and the proposed development would, therefore, be contrary to the proper planning and development of the area.



**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this**  **day of**  **2022.**