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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 21/1860**

**APPEAL** by Robert Kenny of Townley Hall, Drogheda, County Louth against the decision made on the 16<sup>th</sup> day of November, 2021 by Meath County Council to grant subject to conditions a permission to Emma Duffy of Headstown, Castletown, Navan, County Meath.

**Proposed Development:** The construction of a new storey and a half dwelling, new domestic garage, provision of a conventional septic tank and percolation area, new domestic entrance, new wastewater soakaway including all associated site works at Headstown, Castletown, Navan, County Meath.

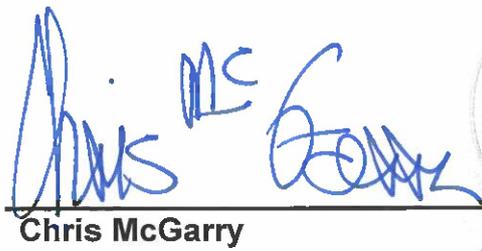
**Decision**

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

## Reasons and Considerations

1. The site of the proposed development is within an Area 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 2005, and within a Strong Rural Area as set out in the Meath County Development Plan 2021-2027, wherein it is policy to facilitate the housing requirements of the rural community as identified while directing urban generated housing to areas zoned for new housing development in towns and villages. Furthermore, National Policy Objective 19 of the National Planning Framework (February 2018) seeks, for rural areas under urban influence, 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. On the basis of the documentation submitted with the application and appeal, the Board could not be satisfied that the applicant comes within the scope of either economic or social housing need criteria as set out in the overarching National and Ministerial Guidelines, or that the housing needs of the applicant could not be satisfactorily met in a smaller town or village settlement. The proposed development, in the absence of any identified local 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 militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and undermine the settlement strategy set out in the development plan. The proposed development would be contrary to the Ministerial Guidelines and to overarching national policy and having regard to the totality of the relevant provisions of the statutory development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board had regard to the proliferation of domestic wastewater treatment systems (both existing and permitted) in this rural area and on the landholding, the fact that groundwater in the area is classified as highly vulnerable and that the proposed and existing dwellings in the area are highly dependent on groundwater as a source of water supply, and to the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of Environment, Heritage and Local Government 2005 which recommend, in un-sewered rural areas, avoiding sites where it is inherently difficult to provide and maintain wastewater treatment and disposal facilities. The Board could not be satisfied, on the basis of the information on the file, that the impact of the proposed development in conjunction with existing and permitted wastewater treatment systems in the area would not give rise to a risk of groundwater pollution. 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 13<sup>th</sup> day of May 2022.

