

An
Bord
Pleanála

**Board Order
ABP-312157-21**

Planning and Development Acts 2000 to 2021

Planning Authority: Meath County Council

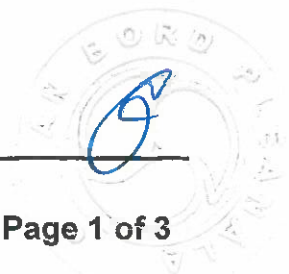
Planning Register Reference Number: 21/714

APPEAL by Eamonn Reilly of French Lane, Stackallen, Slane, County Meath against the decision made on the 15th day of November, 2021 by Meath County Council to grant subject to conditions a permission to Jennifer McGrath care of Roger Wheeler of Newhaggard Road, Trim, County Meath.

Proposed Development: A proposed two-storey dwelling, with domestic garage, modifications to existing agricultural entrance, wastewater treatment system with polishing filter, and all associated site works at Stackallen, Slane, County Meath as revised by the further public notices received by the planning authority on the 21st day of October, 2021.

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. Having regard to the location of the site 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 2005, notwithstanding the provisions of the Development Plan, and 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, the Board could not be satisfied on the basis of the information on the file that the applicant comes within the scope of either economic or social rural housing need criteria as set out in the overarching National Guidelines.

The proposed development, in 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, therefore, be contrary to the proper planning and sustainable development of the area.

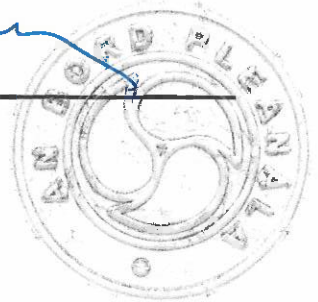
2. Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board had regard to the proliferation of domestic wastewater treatment systems in this rural area, the high level of the water table on site, the dependency on groundwater for water supply, and to the Sustainable 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 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.



John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**



Dated this 8th day of APRIL 2022