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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: 21/881**

**APPEAL** by Patsy Kerr care of Frank Burke and Associates of Baldara, Trim Road, Navan, County Meath against the decision made on the 19<sup>th</sup> day of November, 2021 by Meath County Council to grant permission subject to conditions to Leanne Gibney care of Gaffney and Cullivan Architects of 7 Clonard House, Market Square, Navan, County Meath.

**Proposed Development:** Construction of a two-storey dwelling with detached domestic garage, on-site waste water treatment system, road entrance together with all associated site services and development at Proudstown, Navan, County Meath, as revised by the further public notices received by the planning authority on the 26<sup>th</sup> day of October, 2021.

**Decision**

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

## Reasons and Considerations

1. Having regard to:
  - (a) the location of the proposed development on a highly trafficked regional road where the maximum speed limit applies, and
  - (b) the failure of the applicant to demonstrate that a safe access in terms of sightline distance can be provided to serve the proposed development,

it is considered that the additional traffic movements generated by the proposed development would endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature of the proposed development, as indicated on the plans and particulars submitted with the application, which includes the construction of a domestic entrance located on a regional road which is identified as a strategic corridor on Map 9.2 of the Meath County Development Plan 2021-2027, the requirements of County Development Plan Policy RD POL 40 which seeks to restrict new access for one-off dwellings where the 80-kilometre speed limit applies, and the failure of the applicant to demonstrate a location specific rural housing need in accordance with the Development Assessment Criteria under Section 9.15.3 of the County Development Plan, it is considered that the proposed development, by itself or by the precedent which a grant of permission would represent, would contribute to a proliferation of similar type developments, would reduce the capacity of the road, would interfere with the safety and free flowing nature of traffic on the road and would adversely affect the use of the strategic corridor. The proposed development would be contrary to the above-mentioned policy of the Meath County Development Plan 2021-2027 and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. 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 in 2005, 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, and having regard to the viability of smaller towns and rural settlements, the Board was not satisfied, on the basis of the information submitted with the application, that the applicant comes within the scope of either economic or social housing need criteria as set out in the overarching National Guidelines. In the absence of any identified local based need for the house at this location, it is considered that the proposed development would result in a haphazard and unsustainable form of development in the area, 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 and would undermine the settlement strategy set out in the County Development Plan. 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 10<sup>th</sup> day of August 2022.