

Planning and Development Acts 2000 to 2021

Planning Authority: Meath County Council

Planning Register Reference Number: 21/953

APPEAL by Mary Finnegan and the Finnegan family of Begsreeve, Lobinstown, Navan, County Meath against the decision made on the 16th day of December, 2021 by Meath County Council to grant subject to conditions a permission to Stuart Fedigan care of Aidan Geraghty of Green Lakes, Dromin, Dunleer, County Louth.

Proposed Development: Construction of a dwellinghouse, wastewater treatment system and percolation area and all associated site works at Rathbran Beg, Lobinstown, Navan, County Meath. The proposed development was revised by further public notices received by the planning authority on the 23rd day of November, 2021.

Decision

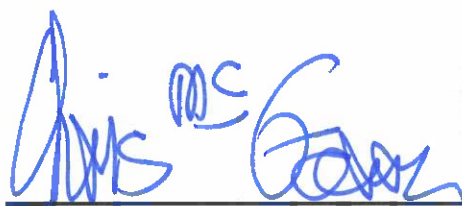
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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 a Strong Rural Area as designated in the Meath County Development Plan 2021-2027. 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 national policy and Regional Guidelines and having regard to the totality of relevant provisions in the current Meath County Development Plan. 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, 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 the over-arching national policy, and to the provisions of the Meath County Development Plan 2021-2027. 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 (including the existing single-storey dwelling part of the overall landholding the site is taken from), the fact that the 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 in 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.



Chris McGarry

Member of An Bord Pleanála

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

Dated this  day of  2022.

