

An  
Bord  
Pleanála

Board Order  
ABP-312693-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Meath County Council**

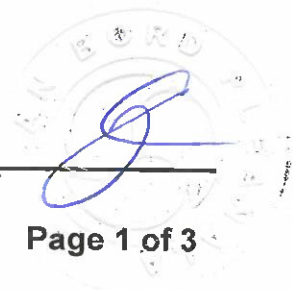
**Planning Register Reference Number: 21/2196**

**APPEAL** by Mary and Christy Flynn care of Ger Fahy Planning of Mulhussey, Maynooth, County Kildare against the decision made on the 21<sup>st</sup> day of January, 2022 by Meath County Council to grant subject to conditions a permission to Michael Doyle care of Eslin House Design of Cultrumner, Drumree, County Meath.

**Proposed Development** The development will consist of: 1. New dwelling and garage. 2. New entrance. 3. Wastewater treatment system with percolation area. 4. Landscaping and all associated site works, all at Kilgrague, Kilcloon, County Meath.

## **Decision**

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



## 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" issued by the Department of the Environment, Heritage and Local Government in 2005, 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 file that the applicant comes within the scope of either economic or social housing need criteria, as set out in the overarching National Guidelines. 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, as set out in the current Development Plan for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

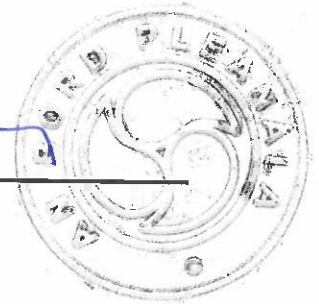
2. Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board had regard to the proliferation of domestic wastewater treatment systems in this rural area (including two permitted on the sites to the west), to the high level of the water table on site and to the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in 2005, which recommend, in unsewered 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 7<sup>th</sup> day of June 2022.