



An  
Bord  
Pleanála

**Board Order**  
**ABP- 313541-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 22/79**

**Appeal** by Patrick and Michelle Farrelly care of Milligan Architects of Milligan House, Martinstown, Delvin, County Westmeath against the decision made on the 14<sup>th</sup> day of April, 2022 by Westmeath County Council to refuse permission.

**Proposed Development:** One number residential dwelling formed of two part-single storey house, associated garage, approved wastewater treatment system and percolation area to EPA standard, and upgrade to existing vehicle entrance at Ballyowen, Killucan, County Westmeath.

## **Decision**

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

## Reasons and Considerations

The site of the proposed development is located within a 'Rural Area Under Strong Urban Influence' as shown on Map 9.1 (Rural Typology County Westmeath) of the Westmeath County Development Plan 2021 - 2027. In such an area, it is a policy objective of Westmeath County Council, as expressed through CPO 9.1, to accommodate demand from individuals, for permanent residential development, who have strong links to the area and who are an intrinsic part of the rural community, subject to good planning practice, environmental carrying capacity and landscape protection considerations. CPO 9.1 sets out six circumstances in which residential development will be permitted within a 'Rural Area Under Strong Urban Influence'. Having regard to the documentation submitted with the application and the appeal, the Board is not satisfied that the applicants have met any of the circumstances as set out. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria for a house at this location. This is particularly so as the applicants already own a house on a site that would be sub-divided to accommodate the proposed new house development on a part of the existing site. Accordingly, the proposed development would be contrary to the provisions of the Westmeath County Development Plan 2021 – 2027 and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

**Dated this 01 day of August 2023.**