

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

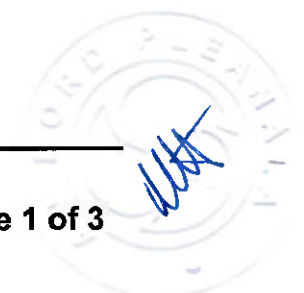
Planning Register Reference Number: 22582

APPEAL by Andrew Mooney care of Declan P. Walsh and Company of Main Road, Tullyallen Village, Drogheda, County Louth against the decision made on the 1st day of September, 2022 by Louth County Council to refuse permission.

Proposed Development: Retention is sought for 1. existing single storey dwelling house and site layout as laid out and constructed. 2. Existing waste water treatment system servicing dwelling house as laid out and constructed. Full permission is sought for alteration works to existing shared vehicle access entrance and neighbouring roadside boundaries to provide upgraded sight visibility and all associated site development works at Begrath, Monasterboice, County Louth.

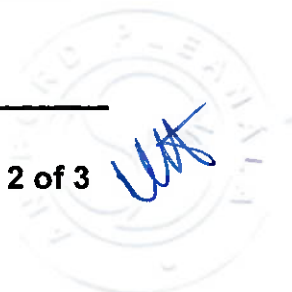
Decision

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

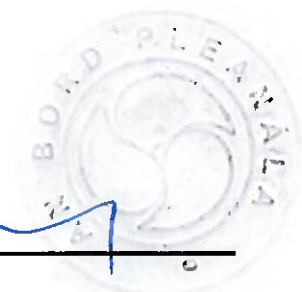
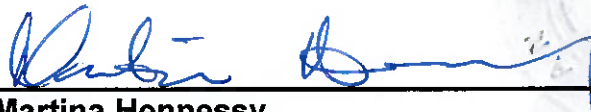


Reasons and Considerations

1. Having regard to the siting and backland nature of the development to be retained, together with the cumulative impact of existing dwellings in the immediate hinterland, the proposal would represent an overdevelopment of one-off dwellings in this rural area. The development is considered to be contrary to Section 13.9.4 (site selection) of the Louth County Development Plan, 2021-2027, which requires that applications consider the existing number of one-off dwellings in the area and the ability of the landscape to absorb further development without further eroding the rural character of the area. In addition, the design of the dwelling is not considered to be reflective of a rural dwelling and is not considered to accord with the provisions of Section 13.9.9 or 13.9.10 of the Louth County Development Plan, 2021-2027 and accordingly, the overall design is considered to be contrary to Policy Objective HOU 47 which requires applications for one-off rural housing to comply with the standards and criteria set out in Section 13.9 of Chapter 13. The proposed development and the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The applicant has failed to demonstrate that the proposed wastewater treatment system and polishing filter is in compliance with the EPA Code of Practice, 2021, nor is there sufficient information that shows that if retention permission was granted, that there would be no potential risk of it being prejudicial to public health or that it would not give rise to diminishment of ground water quality in this area. In this regard, the proposed development and the development proposed to be retained is contrary to Policy Objective IU18 of the Louth County Development Plan, 2021-2027. The proposed development and the development proposed to be retained would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of this area.



In not agreeing with the Inspector's reason number two for refusal, the Board was satisfied that the hedgerow removal required for the vehicular sightlines associated with the proposed development would not adversely impact on the rural amenity and character of the area.



Martina Hennessy

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**

Dated this 8th day of December 2023