

An
Bord
Pleanála

Board Order ABP-321625-25

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 24/60622

Appeal by Aishling and Niall McCullough care of Andrew Johnston of Railway Cottage, Grangebellew, Drogheda, County Louth against the decision made on the 5th day of December, 2024 by Louth County Council to refuse permission.

Proposed Development: Construction of a dwellinghouse, extension of existing access drive, use of existing vehicular entrance to public road, connection into public sewer and all associated site development works, all at Termonfeckin, County Louth.

Decision

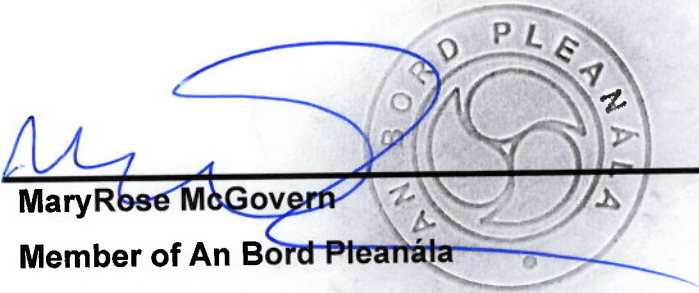
REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to Policy Objective HOU 41 of the Louth County Development Plan 2021-2027, and the location of the site within an 'Area Under Strong Urban Influence' as identified in Section 3.17.3 (Identifying Rural Area Types), Table 3.3 (Rural Policy Zones) and Map 3.2 (Rural Policy Zones in County Louth) of the development plan, where housing is restricted to persons demonstrating local need in accordance with the development plan, it is considered that the applicant does not come within the scope of the housing need criteria, as set out in the development plan, for a house at this location. The proposed development, in the absence of a demonstrable housing need, 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. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site in the immediate vicinity of Termonfeckin Village and within an area subject to reservation as a decarbonisation zone, and for agricultural, open space or recreational uses, it is considered that the proposed development would erode the distinction between the built-up area of Termonfeckin and the open countryside. Furthermore, it is considered that, by reason of its site size, backland location, siting and substandard access arrangements, the proposed development would constitute a piecemeal form of development that would give rise to an unacceptable fragmentation of the rural landscape at this location. The proposed development would be contrary to Section 13.9.6 and Policy Objective HOU 38 of the Louth 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 pattern of existing and permitted development in the area, together with Sections 13.9.8 and 13.9.9 and Policy Objective HOU 42 of the Louth County Development Plan 2021-2027, it is considered that, by reason of the design of the proposed development, including multiple-roofed elements with varying ridge heights, variable massing/forms/built elements and a complex, ornate visual character, the proposed development would be out of character with the existing built form in the receiving rural landscape and would seriously injure the visual amenities of the rural area. The proposed development would be contrary to the relevant provisions of the Louth County Development Plan 2021-2027 and would, therefore, be contrary to the proper planning and sustainable development of the area.

4. It is considered that the proposed development would endanger public safety by reason of traffic hazard on account of the additional traffic turning movements which the proposed development would generate onto a protected regional road (R-166) at a location where adequate sightlines have not been provided for, as required by Section 7.10, Section 13.16.17 and Table 7.10, and in line with the safety and capacity requirements of Policy Objective MOV 56 of Volume 1 of the Louth County Development Plan 2021-2027. Furthermore, it is considered that the site access arrangements, as proposed, would necessitate the removal of a section of trees and hedgerows adjoining the R-166 which is identified for protection in accordance with the Termonfeckin Composite Map. The proposed development would be contrary to Policy Objective TER 20 of the Louth County Development Plan 2021-2027 and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Rose McGovern
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 6th day of May 2025.