

An  
Coimisiún  
Pleanála

**Commission Order  
PL-500878-WH-26**

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**Planning and Development Act 2000, as amended**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 2560594**

**Appeal** by Stuart O'Reilly against the decision made on the 4<sup>th</sup> day of February, 2026 by Westmeath County Council to grant, subject to conditions, a permission to Stephen Lynam and Katie Kennedy in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a private dwelling house, proprietary effluent treatment system and percolation area, entrance onto public road and all ancillary site services at Rattin, Kinnegad, County Westmeath.

## **Decision**

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

## Reasons and Considerations

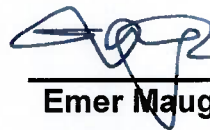
The site of the proposed development is located within an 'Area Under Strong Urban Influence' as set out in the 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government in April, 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the Westmeath County Development Plan 2021-2027.

Furthermore, the subject site is located in a rural area that is under urban influence, where it is national policy, as set out in National Policy Objective 28 of the National Planning Framework (First Revision, April 2025) 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 documentation submitted with the application and appeal, the Commission is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area in accordance with CPO 9.1 of the Westmeath County Development Plan 2021-2027. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development, in the absence of any identified locally based need for the house, 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.

The Commission agreed with the Inspector's assessment in terms of the design and siting of the proposed dwelling which they considered was

acceptable in terms of visual impact, that the proposed access would be acceptable in terms of road safety and was also satisfied that the proposed development is located within Flood Zone C with a low probability of fluvial flooding as defined in the Flood Risk Guidelines. In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the totality of information submitted with the application and appeal, along with the specific wording of the relevant rural housing policy CPO 9.1. In this regard while the Commission agreed with the Inspector that the second named applicant has not demonstrated adequate ties to the rural area, it did not share the view that the first named applicant has demonstrated personal, family or economic connections to the rural hinterland of Rattin, County Westmeath, as from the presented detail the social links (family home, school attendance, GAA, community and parish involvement) are primarily derived from within a different rural catchment in County Meath. Furthermore, the Commission considered the economic dimension (part time farm work) to be insufficient to justify a genuine economic need for a dwelling in an area under strong urban influence. It was determined therefore that a refusal of permission was warranted as set out in the reason stated.



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**Emer Maughan**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 30<sup>th</sup> day of June 2026