



An
Bord
Pleanála

Inspector's Report ABP-310986-21

Development

A new two-storey dwelling with single storey living area to the south, associated detached double garage, opening of a new vehicular entrance to site, new private water well and septic tank and percolation area together with all associated site development works.

Location

Piercetown, Rochfortbridge, Co. Westmeath.

Planning Authority

Westmeath County Council

Planning Authority Reg. Ref.

21175

Applicant(s)

Ian Kenny

Type of Application

Permission

Planning Authority Decision

Grant subject to conditions

Type of Appeal

Third Party v. Decision

Appellant(s)

Pat and Anne Eighan

Observer(s)

None.

Date of Site Inspection

28th September, 2022

Inspector

Robert Speer

1.0 Site Location and Description

- 1.1. The proposed development site is located in the rural townland of Piercetown, Co. Westmeath, approximately 2.5km west of the town of Rochfortbridge and 3.9km northeast of Tyrrellspass, where the surrounding landscape is primarily one of gently undulating rural countryside, although there is a considerable concentration of piecemeal one-off housing and linear / ribbon development along roadways in the wider area. There is an existing dwelling house and farmyard located further north on the same landholding as the subject site while a new two-storey dwelling has recently been constructed on lands to the south. Immediately opposite the site is the entrance to 'West House' (and its farmyard), an unusual and distinctive country house which has been designated as a protected structure.
- 1.2. The site itself has a stated site area of 0.4042 hectares, is broadly rectangular in shape, and presently forms part of a larger agricultural field set as pasture. It adjoins the public road to the east with the adjacent lands to the north, south and west in agricultural use. It is bounded by mature hedgerow to the north, east and west while the remaining southern site boundary is not physically defined at present.

2.0 Proposed Development

- 2.1. The proposed development consists of the construction of a two-storey dwelling house based on an 'L'-shaped floor plan with a stated floor area of 257.6m² and a ridge height of 8.01m. The overall design encompasses a contemporary interpretation of the traditional vernacular and comprises a principle two-storey block set perpendicularly to the public road with a single-storey construction extending southwards from same which includes a flat-roofed segment (incorporating the entrance lobby) linking the two building sections. External finishes include a white render, stone, burnt timber cladding, natural roof slates, and a membrane flat roof with a zinc fascia (or similar) and pressed metal parapet capping.
- 2.2. A free-standing double garage (floor area: 50m²) with a feature wall is proposed to be constructed to the rear of the property.

- 2.3. Access to the site will be obtained via a new entrance arrangement onto the adjacent roadway. Approximately 30m of the existing roadside boundary is to be set back as required to achieve sightlines of 90m in both directions.
- 2.4. It is proposed to install a conventional septic tank system and percolation area. A water supply will be obtained from a new bored well on site.

3.0 **Planning Authority Decision**

3.1. **Decision**

- 3.1.1. On 7th July, 2021 the Planning Authority issued a notification of a decision to grant permission for the proposed development, subject to 13 No. conditions. These conditions are generally of a standardised format and relate to issues including occupancy, external finishes, landscaping, effluent disposal, and development contributions.

3.2. **Planning Authority Reports**

3.2.1. *Planning Reports:*

An initial report details the site context, planning history, and the relevant policy considerations, before stating that Objective CPO 9.1 of the Development Plan is applicable in this instance given the site location in a rural area under strong urban influence. It proceeds to consider the submitted particulars as regards compliance with the relevant rural housing eligibility criteria and determines that the applicant has not shown any personal, family or economic ties to the site. It is further stated that the applicant's desire to live at the subject location to provide support to his infirm father could be otherwise satisfied from within the nearby village of Rochfortbridge. Accordingly, it is considered that the applicant has not demonstrated compliance with the applicable rural housing policy or that an exceptional need on medical grounds arises. In terms of visual impact, further concerns are raised as regards the site location on elevated lands and the proposed loss of mature hedgerow. The report thus concludes by recommending that permission be refused for the following reasons:

- The site is located in a strong rural area under urban influence where development which is not rural generated should be more properly located in towns, villages and designated settlements. On the basis of the documentation submitted, it is not considered that the applicant has demonstrated that they come within the scope of the criteria for rural residential development in this location. The proposed development would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed and would, therefore, be contrary to Section 9.4 and CPO 9.1 contained within the Westmeath County Development Plan, 2021-2027 and the Sustainable Rural Housing – Guidelines for Planning Authorities, DoEHLG, 2005.
- The development by virtue of its elevated position and lack of integration into the landscape together with the removal of mature hedgerow would result in a development which would cause scarring of the rural area and cause adverse impact to its visual amenities. In addition, the loss of hedgerow would harm the biodiversity of the area. The development is contrary to the Westmeath Rural Design Guidelines and Section 9.5 and Policies CPO 9.8 and CPO 9.10 of the Westmeath County Development Plan, 2021-2027 and to the proper planning and sustainable development of the area.

This recommendation was rejected by the District Manager who indicated in a supplementary memorandum that they were of the opinion the applicant satisfied the local needs criteria and had strong links to the area. It was also stated that the subject site was located on less elevated lands than a previous application and that the proposal had been accompanied by a 'Design Statement' which supported the assertion that the proposed dwelling could be successfully assimilated into the landscape. The memorandum concludes by recommending that further information be sought in relation to the preservation of agricultural access to the remainder of the landholding of which the subject site forms part.

Following the receipt of a response to a request for further information, the case planner compiled a second report which reiterated the earlier recommendation to refuse permission. This was again rejected by the District Manager in a further memorandum which included an instruction to draft appropriate conditions for attachment to a grant of permission.

3.2.2. *Other Technical Reports:*

Area Engineer: An initial report recommended that further information be sought in respect of the access arrangements to the remainder of the agricultural landholding and the achievement of the necessary sightlines from the proposed entrance.

Following the receipt of a response to a request for further information, a subsequent report recommended a grant of permission, subject to conditions.

3.3. **Prescribed Bodies**

Irish Water: No objection.

3.4. **Third Party Observations**

- 3.4.1. A single submission was received from the appellants, however, in the interests of conciseness, and in order to avoid unnecessary repetition, I would advise the Board that the principal grounds of objection / areas of concern raised therein can be derived from my summation of the grounds of appeal.
- 3.4.2. A further 2 No. submissions were received from elected representatives lending support to the proposed development.

4.0 **Planning History**

4.1. **On Site:**

- 4.1.1. PA Ref. No. 064472. Was refused on 18th January, 2001 refusing Shirley Poynton permission to construct a bungalow-type house, domestic garage, and a septic tank system with a percolation area.
- It is a policy of Planning Authority, as set out in the current development plan, to control non-essential dispersed residential development in rural areas and to direct such development to existing settlements in order to minimise the impact of development on agriculture and the landscape and to allow for a more economic and orderly provision of services and infrastructure. It is considered that the proposed development would not come within the foregoing development objectives 5.3.1.5 set out in the development plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area and to the government

policy on sustainable development as set out in Sustainable Development: A Strategy for Ireland.

- The proposed development is located in an area, which is predominantly agricultural, and objectives contained within the County Development Plan aim to preserve land for the further development of agriculture. The proposed development would be in conflict with said objectives and would mitigate against the preservation of the scenic rural environment.
- The design and finishes of the proposed development are not representative of the rural area and are uncharacteristic of vernacular development, it is insensitive to the rural location of the development and therefore contrary to the proper planning and development of the area.

4.1.2. PA Ref. No. 064148. Was refused on 22nd June, 2006 refusing Shirley Poynton permission to construct a bungalow-type house, domestic garage, and a septic tank system with a percolation area.

- It is a policy of Planning Authority, as set out in the current development plan, to control non-essential dispersed residential development in rural areas and to direct such development to existing settlements in order to minimise the impact of development on agriculture and the landscape and to allow for a more economic and orderly provision of services and infrastructure. It is considered that the proposed development would not come within the foregoing development objectives 5.3.1.5 set out in the development plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area and to the government policy on sustainable development as set out in Sustainable Development: A Strategy for Ireland.
- The proposed development is located in an area which is predominantly agricultural and objectives contained within the County Development Plan aim to preserve land for the further development of agriculture. The proposed development would be in conflict with said objectives and would militate against the preservation of the scenic rural environment.
- The design and finishes of the proposed development are not representative of the rural area and are uncharacteristic of vernacular development, it is

insensitive to the rural location of the development and therefore contrary to the proper planning and development of the area.

4.2. On Adjacent Sites:

4.2.1. PA Ref. No. 206206. Was refused on 29th September, 2020 refusing Ian Kenny & Nicola Bradley permission for the construction of a two storey dwelling with single storey living and lounge area to the west, associated domestic garage to the north, opening of a new vehicular entrance to site, EN certified septic tank and percolation area and new private water well together with all associated site development works.

- The site is located in a strong rural area under urban influence where development which is not rural generated should be more properly located in towns, villages and designated settlements. On the basis of the documentation submitted it is not considered that the applicants have demonstrated that they come within the scope of the criteria for rural residential development in this location. The proposed development would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed and would, therefore, be contrary to the proper planning and sustainable development of the area. The development is contrary to sections 2.17 Core Strategy Policy P-CS11, 11.3, 11.6, 11.7 and policies P-SRA1, P-LHN1 and P-LHN2 contained within the Westmeath County Development Plan 2014-2020 and to the Sustainable Rural Housing - guidelines for planning authorities, DoEH&LG 2005.
- The development by virtue of its elevated position and lack of integration into the landscape together with the removal of mature hedgerow would result in a development which would cause scarring of the rural area and cause adverse impact to its visual amenities. In addition, the loss of hedgerow would harm the biodiversity of the area. The development is contrary to the Westmeath Rural Design Guidelines and section 11.13 and policies P-RH1, P-RH3, P-GRH1 and P-GRH6 of the Westmeath County Development Plan 2014-2020 and to the proper planning and sustainable development of the area.

4.3. On Sites in the Immediate Vicinity:

4.3.1. PA Ref. No. 156116. Was granted on 19th January, 2016 permitting Andrea Gorman & Caymon Flynn permission for the construction of a new part two-storey, part

single-storey dwelling house and detached garage, with domestic effluent treatment system and percolation area, new site entrance, and associated site works, all at Piercetown, Rochfortbridge, Co. Westmeath.

4.4. **Other Relevant Files (the applicant's family home / homeplace):**

- 4.4.1. PA Ref. No. 90/637. Was granted on 7th January, 1991 permitting Michael Kenny permission for the erection of a dwelling house and the installation of a septic tank at Castlelost, Rochfortbridge, Co Westmeath.

5.0 **Policy and Context**

5.1. **National and Regional Policy**

- 5.1.1. The '*Sustainable Rural Housing, Guidelines for Planning Authorities, 2005*' promote the development of appropriate rural housing for various categories of individual as a means of ensuring the sustainable development of rural areas and communities. Notably, the proposed development site is located in an '*Area under Strong Urban Influence*' as indicatively identified by the Guidelines. Furthermore, in accordance with the provisions of the Guidelines, the Westmeath County Development Plan, 2021-2027 includes a detailed identification of the various rural area types specific to the county at a local scale and '*Map 9.1: Rural Typology*' of the Plan details that the site is located in a '*Rural Area under Strong Urban Influence*'.

5.2. **Development Plan**

5.2.1. **Westmeath County Development Plan, 2021-2027:**

Chapter 2: Core Strategy:

Section 2.14: *Rural Areas:*

Section 2.14.1: *Rural Area Under Strong Urban Influence:*

This area comprises most of the County and is characterised by stable population levels with well-developed town and village structures and a strong agricultural base. The objective in these areas is to maintain a stable population base in rural areas within a strong network of villages and small towns. The policy is to facilitate housing

development by people who have strong links to the particular rural area, who are an intrinsic part of the rural community.

Such persons would normally have spent substantial periods of their lives living in the rural area as part of the established rural community, e.g. people employed in the rural area including farmers and their sons and daughters, people originally from the rural area and wishing to return, people wishing to reside near elderly parents to provide security and care, elderly parents wishing to live near other family members, people who would have grown up in rural areas seeking to build their home close to other family members, people working in rural areas such as teachers in rural schools.

The aim is to support the desire of individual applicants with strong rural links to settle in that area and to encourage people with no such links to settle in the identified extensive network of towns or villages.

Core Strategy Policy Objectives:

CPO 2.11: Support the sustainable development of rural areas in Westmeath by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities.

CPO 2.12: Support the servicing of rural villages (serviced sites) to provide an alternative to one-off housing in the countryside, in line with RSES Objective RPO 4.78.

Chapter 3: Housing:

Section 3.5: Future Housing Requirements:

Section 3.5.2: Rural Single Housing

It is recognised that there is a continuing need for housing provision for people to live and work in rural Westmeath. The NPF states that it will continue to be necessary to demonstrate a functional economic or social requirement for housing need in areas under urban influence, i.e. the commuter catchment of cities and large towns and centres of employment. Elsewhere, single housing in the countryside will be facilitated based on siting and design criteria and having regard to the viability of

smaller towns and rural settlements. These requirements are reflected in the Core Strategy of this Development Plan which includes a differentiation between 'Rural Areas under Strong Urban Influence' and 'Structurally Weak Rural Areas'.

Chapter 9: Rural Westmeath:

Section 9.4: Rural Settlement Strategy:

Rural Housing Need Policy Objectives:

CPO 9.1: Areas Under Strong Urban Influence:

To accommodate demand from individuals for permanent residential development in defined 'Rural Areas Under Strong Urban Influence' 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.

Local Housing Need:

Permit residential development in areas defined 'Rural Areas Under Strong Urban Influence and Stronger Rural Areas' subject to the following circumstances:

1. Persons who are actively engaged in agriculture, horticulture, forestry, bloodstock and peat industry,
2. Members of farm families seeking to build on the family farm,
3. Landowners for this purpose being defined as persons who own the land 5 years prior to the date of planning application,
4. Persons employed locally whose employment would provide a service to the local community,
5. Persons who have personal, family or economic ties within the area, including returning emigrants,
6. Persons who wish to return to farming and who buy or inherit a substantial farmholding which is kept intact as an established farm unit, will be considered by the Council to be farmers and will be open to consideration for a rural house, as farmers.

Where there is already a house on the holding, refurbishment or replacement of this house is the preferred option.

The local area for the purpose of this policy is defined as the area generally within a 10km radius of the applicant's family home

CPO 9.2: In line with Circular Letter PL 2/2017, review rural housing policy in line with Development Plan or other relevant Guidelines issued by the Minister in this area having regard to NPO 19.

Section 9.5: *Environmental Capacity:*

Rural Housing Criteria Policy Objectives:

CPO 9.8: Ensure that, in permitting one-off rural housing, key rural assets such as water, natural and cultural heritage and landscape quality are protected and maintained.

CPO 9.9: Protect the natural assets of the county including ground and surface water and ensure that physical standards are met including soil conditions suitable for effluent disposal and the avoidance of flood areas.

CPO 9.10: Protect the integrity of the landscapes as identified in the Landscape Character Assessment and protected views.

CPO 9.11: Seek that all proposed on-site wastewater treatment systems for single dwellings and extensions which will increase the population equivalent loading shall comply with the EPA Code of Practice for Wastewater Treatment and disposal Systems serving Single Houses (2009) and any revision thereof.

CPO 9.12: Seek to ensure that wastewater treatment systems are installed by competent persons with regular monitoring and testing carried out on the treatment system, in accordance with the planning permission.

CPO 9.13: Have regard to the Department of Environment, Community and Local Government's Sustainable Rural Housing Guidelines 2005, and any subsequent amendment in the assessment of applications for rural housing.

Section 9.5.1: *Rural Housing Siting and Design*

Section 9.6: *Development within the Hinterland of Settlements:*

The aim of policy in these areas is to avoid undesirable ribbon development on the approaches to settlements and to protect the fabric of settlements by restricting development on the outskirts of the regional centre, towns and villages. Provision will be made for farmers, members of farm families and people that have spent substantial parts of their lives as part of the established rural community building their first home.

Proposals shall in all instances, except for reasons of traffic safety, design or other environmental consideration, be clustered with the existing family home or if farm buildings are isolated from the family dwelling, consideration can be given to grouping with farm structures.

Development within the Hinterland of Settlements Policy Objectives:

- CPO 9.14:* Promote the clustering of houses particularly on the same landholding or for the same family and promote shared accesses to minimise hedgerow removal.
- CPO 9.15:* Control ribbon development, particularly on approach roads into the county's regional centre, key town, self-sustaining growth towns and self-sustaining towns.
- CPO 9.17:* Ensure that the road network is adequate to cater for the development and that the traffic movements generated by the development will not give rise to a traffic hazard.
- CPO 9.18:* Retain, insofar as practicable, existing hedgerows and trees on new house sites. Replacement trees and hedgerows should be of native species.
- CPO 9.19:* Generally, resist urban generated and speculative residential development outside the settlement hierarchy.
- CPO 9.20:* Encourage innovative design, and layouts that promote solar gain subject to protecting the character of the landscape.

CPO 9.21: Undertake a review of the Westmeath Rural Housing Design Guidelines.

Chapter 10: Transport, Infrastructure & Energy:

Section 10.13.1: Wastewater Treatment and Disposal Systems Serving Single Houses

Wastewater Policy Objectives:

CPO 10.100: Ensure that private wastewater treatment plants, where permitted, are operated in compliance with EPA's Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (EPA 2009), as may be amended.

Chapter 13: Landscape and Lake Management:

CPO 13.2: Protect the distinctiveness, value and sensitivity of County Westmeath's landscapes and lakelands by recognising their capacity to sustainably integrate development.

CPO 13.4: Conserve and enhance the high nature conservation value of the Landscape Character Areas in order to create/protect ecologically resilient and varied landscapes.

CPO 13.6: Require that development is sensitively designed, so as to minimise its visual impact on the landscape, nature conservation, archaeology and groundwater quality

Section 13.12: Character Area 10: Lough Ennell & South East Corridor

Chapter 16: Development Management Standards:

Section 16.3.7: Rural Housing:

Notwithstanding an applicants' demonstration of compliance with the rural housing criteria as set out at Chapter 9, it is important to note that applicants are also required to meet overriding sustainable planning practices in terms of visual impact, design standards, environmental and traffic safety issues.

The design of rural housing development requires careful design consideration to ensure that all new development sensitively integrates into the landscape. This requires specific focus on site selection, design, scale and form of the proposed

development. The most successful designs subtly integrate with the receiving landscape by selecting naturally sheltered and screened sites and the development of a simple built form complimented with the use of materials that are reflective of traditional vernacular.

Development Management Standards Policy Objectives - Rural Housing:

CPO 16.32 – CPO 16.34

5.3. Natural Heritage Designations

5.3.1. The following natural heritage designations are located in the general vicinity of the proposed development site:

- The Cloncrow Bog (New Forest) Natural Heritage Area (Site Code: 000677), approximately 4.1km southwest of the site.
- The Lough Ennell Special Area of Conservation (Site Code: 000685), approximately 5.2km northwest of the site.
- The Lough Ennell Proposed Natural Heritage Area (Site Code: 000685), approximately 5.2km northwest of the site.
- The Lough Ennell Special Protection Area (Site Code: 004044), approximately 5.8km northwest of the site.
- The Nure Bog Natural Heritage Area (Site Code: 001725), approximately 6.7km northwest of the site.
- The Miltownpass Bog Natural Heritage Area (Site Code: 002323), approximately 6.8km northeast of the site.
- The Split Hills and Long Hill Esker Proposed Natural Heritage Area (Site Code: 001831), approximately 7.6km southwest of the site.
- The Split Hills and Long Hill Esker Special Area of Conservation (Site Code: 001831), approximately 7.6km southwest of the site.

5.4. EIA Screening

5.4.1. Having regard to the nature and small scale of the proposed development, the site location outside of any protected site, the nature of the receiving environment, the

limited ecological value of the lands in question, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- The level of existing and permitted housing development within a 1km radius of the application site is unsustainable, particularly in terms of the potential impact on water supplies and sewerage.
- There are concerns that the provision of a further private well, and the associated increased demand placed on groundwater resources, could adversely impact on existing well yields / water supplies in the area. This is of particular relevance in light of climate change considerations and the potential for drier summers / less rainfall to result in an increased risk of drought with aquifers not being adequately replenished.
- The Westmeath County Development Plan states that an over-concentration of individual septic tanks and wastewater treatment systems should be avoided to minimise the risk of groundwater pollution. The Eastern and Midland Regional Economic & Spatial Strategy and the National Planning Framework: Project Ireland 2040 also refer to the importance of protecting water sources and the need to ensure that they are sustainably managed with the latter document further noting that the loss of farmland to building development contributes to water supply degradation. Therefore, it is submitted that any increase in the density of septic tanks in the surrounding area cannot be construed as environmentally sustainable development.
- Given the proximity of Rochfortbridge and the availability of development land within its limits, further rural housing in the open countryside is unnecessary. The National Planning Framework aims to achieve the sustainable compact growth of cities, towns & villages and states that the development of effective

density in towns will allow for the more effective provision of transport, health, education and other public services. The Eastern and Midland Regional Economic & Spatial Strategy further notes that policies should be directed at the sustainable compact growth of cities, towns & villages in order to act as an alternative to one-off dispersed rural settlement. It also states that rural housing policies should avoid ribbon development and spill-over development from urban areas with the aim of achieving sustainable compact growth rates within villages so as to address rural decline and to protect environmental resources for rural communities. The housing crisis cannot be solved by increased levels of development in the countryside while failing to address the structural causes of a lack of supply in urban areas.

- The proposed development is unconnected to agriculture where the land should be preserved for such purposes.
- The County Development Plan notes that housing in rural areas should be clustered with the family home or farm buildings and that shared access is to be promoted to minimise hedgerow removal. Given the site location in a field where another dwelling house has recently been constructed (PA Ref. No. 156116), there are concerns that permission will be sought for a further dwelling on the remaining 'infill' site thereby resulting in three houses in a line of ribbon development contrary to the Westmeath Rural Design Guidelines
- The applicant was previously refused permission under PA Ref. No. 206202 on adjacent lands on that basis that the proposal would:

'lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed and would, therefore, be contrary to the proper planning and sustainable development of the area. The development is contrary to sections 2.17 Core Strategy Policy P-CS11, 11.3, 11.6, 11.7 and policies P-SRA1, P-LHN1 and P-LHN2 contained within the Westmeath County Development Plan 2014-2020 and to the Sustainable Rural Housing - guidelines for planning authorities, DoEH&LG 2005'.

Accordingly, it is unclear how the subject proposal could now amount to sustainable development.

- The Westmeath County Development Plan, 2021-2027 states that the felling of mature hedgerows for development should be discouraged and that existing trees and hedgerows should be retained insofar as is practicable on new housing sites. The subject proposal requires the removal of 30m of hedgerow to achieve adequate sightlines which will result in a loss of habitat, with particular reference to birds during the breeding season, and a scarring of the rural landscape. It should also be noted in the context of climate change that hedgerows act as pollution filters and carbon sinks.
- The loss of an existing agricultural access consequent on the proposed development will likely require the opening of a new field access elsewhere along the road thereby necessitating the removal of further hedgerow. While the response to the request for further information has detailed an alternate means of accessing the remainder of the landholding, the map showing that landholding includes an area of land that was excluded from the mapping submitted with the original application. Therefore, on the basis of the mapping provided with the original application, the remainder of the landholding will be difficult to access without the need for another entrance.
- The loss of roadside hedgerow is unsightly and detrimental to rural character. A significant extent of hedgerow has already been removed along this section of road consequent on the development approved under PA Ref. No. 156116. There are multiple examples throughout the county where hedgerows have been replaced with post & rail fencing in spite of the terms and conditions of the grant of permission as regards the replanting of hedges. Therefore, there are concerns that should the development proceed further hedgerow will be lost.
- Due to the elevated site location, it is considered that the proposed development, particularly when taken in combination with the dwelling constructed pursuant to PA Ref. No. 156116, will detract from the visual amenity and rural character of the area. This impact will be exacerbated by the loss of hedgerow and is contrary to the Westmeath Rural Design Guidelines.

- There are similarities between the subject proposal and that refused permission under PA Ref. No. 206206 on the grounds that:
‘The development by virtue of its elevated position and lack of integration into the landscape together with the removal of mature hedgerow would result in a development which would cause scarring of the rural area and cause adverse impact to its visual amenities. In addition, the loss of hedgerow would harm the biodiversity of the area.’
- The proposed development will contribute to increased traffic in this scenic rural area which is enjoyed by walkers and local families etc. In this regard, it is suggested that the continuing development of housing in the area will likely warrant the future provision of footpaths and street lighting in the interests of traffic safety thereby giving the area a semi-suburban appearance to the ruination of its rural character.
- Increased traffic levels pose a hindrance to agricultural activity.
- The proposed access will be sited directly opposite the concealed entrance serving West House and surrounding farmland. In this regard, it should be noted that there is presently a convex traffic mirror set within the hedgerow opposite the existing access where the proposed entrance is to be located. By allowing an entrance opposite the existing access, the proposed development will endanger the safety of road users by reason of traffic hazard.
- The proposal constitutes non-essential development in a rural area.
- Planning permission has been refused on multiple occasions within the field of which the subject site forms part on the basis that the developments in question were unsustainable and would have had a detrimental impact on the visual amenity and character of the surrounding countryside.

6.2. Applicant’s Response

- The applicant satisfies the eligibility / local need criteria for a rural dwelling as set out in the Westmeath County Development Plan, 2021-2027. He has lived in the local area since childhood and seeks to reside close to his father who is

in need of care as detailed in the medical report provided with the planning application.

- The Development Plan policy concerning rural-generated housing need accords with National Policy Objective 19 of the National Planning Framework.
- The Board has previously accepted that Co. Westmeath's policy on local housing need (based on an applicant's links to an area and a need to care for elderly parents) is reasonable and accords with National Policy Objective 19.
- No information has been submitted to support the contention that the proposed development could adversely impact on local water supplies. There is no evidence of existing private wells running dry during the summer periods and no objective information has been provided as to why the well proposed as part of the subject development would introduce such a risk.
- The suggestion that the proposed development could adversely impact on water supplies in the area is purely speculative and lacks any substantive support.
- There is a lack of clarity in the grounds of appeal as regards the concerns pertaining to an alleged over-concentration of septic tanks with no data or other material provided in support of same.
- The Site Suitability Report confirms that the development site is suitable for the installation of a conventional septic tank system in line with current guidance.
- There has been no suggestion that the site suitability testing process, the results obtained, or the recommendation to install a septic tank system in accordance with EPA guidance, are in any way flawed.
- The suggestion that land is available within the limits of Rochfortbridge to meet the applicant's housing need is spurious as those areas which are zoned for development are earmarked for in-depth redevelopment and not for single dwelling houses.
- There are no developments under construction or extant planning permissions on lands zoned for residential development in Rochfortbridge.

- Where a rural housing need arises from a farming background and it is proposed to develop on the family holding, it is accepted that the Development Plan advocates clustering with the existing farmhouse etc. along with the use of existing entrances to minimise traffic concerns and hedgerow removal. However, in the subject case, the applicant's housing need derives from his long-term residency in the area and a desire to be close to his elderly parents in order to provide care and security. There is no opportunity to cluster the proposed development with the family home as the holding does not extend beyond the curtilage of that property.
- The application site is not zoned for 'agricultural' use and residential development is permissible outside of settlements subject to compliance with the applicable rural housing provisions, including local need.
- Any suggestion that a planning application could be made on the adjoining 'infill' site is purely speculative.
- Considering that the '*Sustainable Rural Housing, Guidelines for Planning Authorities*' define ribbon development as five or more houses on any one side of a given 250m of road frontage, the submitted proposal would not constitute or contribute to any such linear-type development.
- The allegation that more hedgerows will be removed should the proposed development proceed are baseless and without foundation.
- The removal of 30m of roadside hedgerow to achieve 90m sightlines in both directions is essential in the interests of traffic safety and is required by Condition No. 8 of the grant of permission. Moreover, Condition No. 4 requires the hedgerow to be replaced and states that '*a new hedgerow of equal length should be established in close proximity to any hedge lines removed to comply with required road sightlines*'.
- The applicant intends to fully comply with the terms and conditions of any grant of permission.
- Condition No. 4 requires the applicant to submit a landscaping scheme for the approval of the Planning Authority prior to the commencement of

development. This landscaping plan must make provision for the replacement of hedgerow to be removed.

- In response to the assertion that the proposed development will '*negatively impact on the aesthetics of the landscape and mitigate against the present scenic rural environment*' it should be noted that the application site is not subject to any amenity or statutory designation. It is located in the Lough Ennell and South Eastern Corridor Landscape Character Area where no specific landscape character assessment policy objectives apply.
- The site is not considered to be elevated and the finished floor level of the proposed dwelling will be the same as or below that of the road at the proposed entrance. The development is acceptable in visual terms.
- The response to the request for further information has confirmed that access to the remainder of the landholding will continue to be available via an existing field entrance located a short distance away further north.
- Notwithstanding that each planning application must be assessed on its merits, rather than appealing the decision to refuse permission for PA Ref. No. 206206, the applicant opted to address the concerns then raised as regards the elevated nature of that site by relocating the proposed dwelling to lower lying lands which has resulted in a correspondingly lower finished floor level while allowing the proposal to be screened by existing hedgerow.
- The reference to a separate planning decision is not relevant to the assessment of the subject proposal which is located on a better site with a reduced impact on the local landscape.
- With respect to the issue of traffic, it is clear that the Planning Authority has adopted a policy of restricting residential development in the hinterland of settlements as exemplified by its rural housing policy which restricts one-off housing to those with a rural-generated housing need. Given that the applicant grew up in the area, he is familiar with the local road network and the needs of residents to have safe roads to walk on.

- By setting back the roadside boundary opposite the entrance to West House, the proposed development will improve traffic safety at this location by improving the visibility of drivers in both directions.
- The proposed development is in a quiet rural area and will not give rise to a traffic hazard.
- Having considered the planning history of the area, it is submitted that the concerns raised in relation to the subject proposal are related to the applicant rather than the development as the appellants themselves applied for a house nearby and previously supported a planning application for another house (both in the vicinity of the subject site).

6.3. **Planning Authority's Response**

None.

6.4. **Observations**

None.

6.5. **Further Responses**

None.

7.0 **Assessment**

7.1. From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key issues raised by the appeal are:

- The principle of the proposed development / rural housing policy
- Overall design / visual impact
- Traffic implications
- Water supply and wastewater treatment & disposal
- Biodiversity / wildlife considerations
- Appropriate assessment

These are assessed as follows:

7.2. The Principle of the Proposed Development / Rural Housing Policy:

- 7.2.1. In terms of assessing the principle of the proposed development having regard to the applicable rural housing policy, it is of relevance in the first instance to note that the proposed development site is located in an *'Area under Strong Urban Influence'* as indicatively identified by the *'Sustainable Rural Housing, Guidelines for Planning Authorities, 2005'* and that the detailed identification of the various rural area types at a county level shown on Map No. 9.1: *'Rural Typology Co. Westmeath'* of the Westmeath County Development Plan, 2021-2027 similarly indicates that the site is located in a *'Rural Area under Strong Urban Influence'*. The Guidelines state that such *'Areas under Strong Urban Influence'* will exhibit characteristics such as their proximity to the immediate environs or the close commuting catchments of large cities and towns (e.g. Mullingar, Tullamore & Athlone Town) and will generally be under considerable pressure for the development of housing due to their proximity to these urban centres or the major transport corridors accessing them (e.g. the N52 National Road and the M6 Corridor). Notably, within these *'areas under urban influence'*, the National Planning Framework (*'Project Ireland 2040: Building Ireland's Future'*) states that it will be necessary for applicants to demonstrate *'a functional economic or social requirement for housing need'* (with National Policy Objective No. 19 stating that the provision of single housing in rural areas under urban influence is to be based on the core consideration of a demonstrable economic or social need to live in a rural area and the siting and design criteria for rural housing contained in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements). The Guidelines further state that the housing requirements of persons with roots or links in rural areas are to be facilitated and that planning policies should be tailored to local circumstances.
- 7.2.2. Considering the proliferation of one-off rural housing development observed in the wider area during the course of my site inspection, and the evidence of the continuing pressure for such development due to the close proximity of Mullingar, Tullamore & Athlone Town and a number of national routes (i.e. the M6 and the N52), I would concur that the prevailing characteristics of the surrounding area are indicative of an *'Area under Strong Urban Influence'*. Accordingly, it is necessary to consider whether the applicant satisfies the relevant eligibility criteria, with particular

reference to Objective CPO 9.1 of the current Development Plan which seeks to accommodate individuals for permanent residential development in *'Rural Areas Under Strong Urban Influence'* 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. More specifically, it must be established whether the applicants meet the 'local housing need' provisions by reference to one of 6 No. qualifying criteria (with the local area for the purpose of this policy defined as the area generally within a 10km radius of the applicant's family home).

7.2.3. Given the broader site context, with particular reference to the proximity of the site to the 'Self-Sustaining Town' of Rochfortbridge and the town of Tyrrellspass as identified in the core strategy and the county settlement hierarchy, cognisance should also be taken of Section 9.6: *'Development within the Hinterland of Settlements'* of the Development Plan which aims to avoid undesirable ribbon development on the approaches to settlements and to restrict development on the outskirts of the regional centre, towns and villages. Notably, provision is to be made for *'farmers, members of farm families and people that have spent substantial parts of their lives as part of the established rural community building their first home'* within the 'hinterland of settlements', and all such proposals, except for reasons of traffic safety, design or other environmental consideration, are required to be clustered with the existing family home or, if farm buildings are isolated from the family dwelling, consideration can be given to grouping with farm structures.

7.2.4. In addition to the foregoing, I would suggest that it is appropriate to have regard to the provisions of the *'Sustainable Rural Housing, Guidelines for Planning Authorities'* which state that in facilitating housing intended to meet rural-generated needs eligible persons can include those working full-time or part-time in rural areas or persons who are an *'intrinsic part of the rural community'* which are defined as follows:

'Such persons will normally have spent substantial periods of their lives, living in rural areas as members of the established rural community. Examples would include farmers, their sons and daughters and or any persons taking over the ownership and running of farms, as well as people who have lived most of their lives in rural areas and are building their first homes. Examples in this regard

might include sons and daughters of families living in rural areas who have grown up in rural areas and are perhaps seeking to build their first homes near their family place of residence’.

(For the purposes of clarity, I would advise the Board that Circular letter PL 2/2017: ‘Sustainable Rural Housing Guidelines for Planning Authorities 2005 – Local Needs Criteria in Development Plans’ states that the ‘Sustainable Rural Housing, Guidelines for Planning Authorities, 2005’ remain in place and thus form the current ‘default’ position (as supported by the National Planning Framework) pending the publication of revised guidance by the Department).

- 7.2.5. From a review of the available information, including the completed copy of Westmeath County Council’s ‘Local Need Questionnaire’ and the various supplementary information, it can be ascertained that the applicant is acquiring the subject site from an unrelated third-party landowner and that while he is originally from the town of Rochfortbridge (Derrygreenagh Park) he has seemingly lived with his parents in the family home in the rural area of Castlelost (approximately 1.7km northwest of Rochfortbridge and c. 1.1km east of the application site) since 1991 when he was two years of age. Further support is lent to the proposal by the assertion that the applicant attended primary and secondary school in Rochfortbridge and is an active member of the local community, with particular reference to his involvement in the local GAA club. The applicant has also indicated a desire to live close to the family home in order to provide future care and support given the ill health of his father (as detailed in accompanying correspondence from a medical professional).

(I would advise the Board that there is no minimum residency requirement (within the local rural area wherein permission is sought) with respect to any of the eligible categories of person specified in Objective CPO 9.1, however, I would suggest that this objective is intended to be applied in the context of the wider rural settlement strategy contained in Section 9.4 of the Development Plan which states that persons applying for permission in ‘Rural Areas Under Strong Urban Influence’ must have strong links and a need to settle in that area and will ‘normally have spent substantial periods of their lives living in the rural area as part of the established rural community’).

- 7.2.6. While not expressly stated in the submitted documentation, it may be inferred that the applicant has not previously been granted planning permission nor has he owned a dwelling house in the past (although it would be preferable if clarity could be provided in this regard). Similarly, it would seem evident that the proposed dwelling house is intended for his own occupation as a principle and permanent place of residence.
- 7.2.7. On the basis of the available information, I would accept that the applicant has established a long-term residency and social / familial links to the immediate locality to the effect that he has '*strong links to the area*' and is '*an intrinsic part of the rural community*' thereby satisfying the local housing need provisions of Objective CPO 9.1: '*Areas Under Strong Urban Influence*' of the current Development Plan. Moreover, given that the applicant has lived in the locality for a substantial period of his life, he would satisfy the broader provisions of Section 9.4 of the Development Plan which states that persons applying for permission in '*Rural Areas Under Strong Urban Influence*' must have strong links (and a need to settle) in that area and will '*normally have spent substantial periods of their lives living in the rural area as part of the established rural community*'. Notably, eligible persons are listed in the Plan as including people wishing to reside near elderly parents to provide security and care and people who would have grown up in rural areas seeking to build their home close to other family members. Accordingly, it is my opinion that the applicant satisfies the eligibility criteria set out in Objective No. CPO 9.1 of the Development Plan.
- 7.2.8. However, in assessing the merits of the proposal and whether the applicant could be held to satisfy the relevant eligibility criteria in terms of having a '*functional economic or social*' housing need requirement to reside at the location proposed as per National Policy Objective No. 19 of the NPF, I would suggest that further consideration must be given as to whether there is any specific locational need for the applicant to reside on the lands in question.
- 7.2.9. The applicant is employed as an electrical contractor who works on various construction projects in the Midlands area and therefore the nature of his employment does not give rise to any specific need to reside at the subject site. Furthermore, while I would acknowledge the applicant's desire to reside locally with a view to providing care and support to his infirm father, given the proximity of and

comparable travel distance to / from Rochfortbridge, I am not satisfied that this amounts to a demonstrable need to reside at the rural location proposed.

7.2.10. In light of National Policy Objective 19 of the NPF which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of a demonstrable economic or social need to live in a rural area while having regard to the viability of smaller towns and rural settlements, the proximity of the site to Rochfortbridge and other nearby settlements (e.g. Tyrrellspass), and notwithstanding the submissions on file indicating the applicant's familial links to the area, it is my opinion that the applicant does not come within the scope of either the economic or social housing need criteria set out in the overarching national guidelines. In effect, I am unconvinced that the applicant's needs cannot be satisfactorily accommodated elsewhere such as within nearby towns or any of the designated settlements in the wider area having regard to the need to support the viability of towns and settlements as per Objective 19 of the NPF.

7.3. Overall Design / Visual Impact:

7.3.1. In terms of assessing the visual impact of the proposed development, it is of relevance in the first instance to note that the subject site is located within the Lough Ennell & South East Corridor Landscape Character Area (LCA No. 10) as detailed in Map No. 68: '*Westmeath Landscape Character Areas*' of the Development Plan. Section 13.12 of the Plan describes this LCA as comprising pasture of mixed productivity although Lough Ennell itself has been designated as an Area of High Amenity while the area around the lough and particularly to the south of the lake is characterised by scrubland with a mixture of marsh, bog and poor pasture. There is also a large tract of bog to the east of Rochfortbridge and Milltownpass along the county boundary. In this regard, it is of note that there are no specific policy objectives attached to the Lough Ennell & South East Corridor Landscape Character Area and, therefore, I would draw the Board's attention to the broader landscape character assessment policy objectives (CPO 13.8 - 13.19) which aim to ensure that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area; ensure the preservation of the uniqueness of a landscape character type by having regard to the character, value and sensitivity of a landscape in the assessment of development proposals; ensure

that development reflects and, where possible, reinforces, the distinctiveness and sense of place of the landscape character types; and require a Landscape and Visual Impact Assessment for proposed developments with the potential to impact on significant landscape features.

- 7.3.2. In a local context, the proposed development site is located in a typically rural area where the surrounding countryside is generally characterised by a gently undulating rural landscape interspersed with piecemeal housing, farmsteads, and linear-type development. Although views over the wider area are available from certain vantage points, the prevalence of mature trees and dense hedgerows along the roadside and intervening field boundaries in the immediate surrounds of the application site serves to lessen more expansive views.
- 7.3.3. The site itself comprises the northernmost and lower-lying extent of a larger agricultural field which is screened in part by mature hedgerows to the north, east and west, although a considerable stretch of the existing roadside boundary will be removed to accommodate the proposed entrance. Notably, a dwelling house of a comparable size and design has recently been completed on the more elevated lands a short distance away to the south (please refer to PA Ref. No. 156116). While that property benefits from a backdrop of mature tree planting to the south, the decision to remove the entirety of the roadside boundary ditch along a significant stretch of the adjoining roadway (detailed on Drg. No. PL02: '*Existing Site Plan*' as extending to 124m) serves to increase its overall prominence notwithstanding that the resulting visual impact is confined to the immediate locality.
- 7.3.4. With regard to the specifics of the design and siting of the proposed development, having conducted a site inspection, and following a review of the submitted plans and particulars, in my opinion, the actual design of the dwelling house adheres to the basic design principles set out in Objective CPO 16.32 of the Development Plan in that it has sought to evoke a contemporary interpretation of the traditional vernacular through its use of features such as narrow plan forms, vertically emphasised fenestration, differing ridge heights, steep roof pitches, chimney stacks positioned over the ridge line, and a palette of external finishes that includes render, stone, timber cladding, and natural roof slates. However, the proposal also includes for the removal (and replacement) of a 30m stretch of the roadside boundary ditch to provide the proposed entrance and the necessary sightlines. When taken in

combination with the loss of hedgerow associated with the construction of the neighbouring dwelling house to the south, the removal of a further stretch of the roadside hedgerow is of concern, however, I would accept that the applicant proposes to reinstate the ditch in a recessed position (while Condition No. 4 of PA Ref. No. 156116 also requires the provision of replacement planting behind the revised front boundary of that property).

- 7.3.5. While it would be preferable to cluster the proposed development with the family home etc. as envisaged by Section 9.6: '*Development within the Hinterland of Settlements*' of the Development Plan, I would accept that this is not possible in the subject instance given that the family holding does not extend beyond the curtilage of the applicant's parent's property.
- 7.3.6. In relation to the potential creation of an 'infill site' consequent on the proposed development when taken in conjunction with the existing dwelling to the south, I would acknowledge the appellants' concerns in this regard, however, I do not propose to engage in speculation other than to state that any future planning application on said lands will be assessed on its merits in accordance with the relevant policy provisions at the time.
- 7.3.7. Having regard to the foregoing, I am satisfied that the overall design and siting of the proposed development is generally acceptable and will not unduly detract from the visual amenity or scenic quality of the surrounding rural landscape, subject to conditions, including the reinstatement of the roadside boundary ditch and the implementation of an appropriate programme of landscaping. In my opinion, the immediate site surrounds are of a lesser sensitivity from a visual perspective while the development in question will not be so conspicuous as to have a disproportionate or dominating visual impact on the surrounding environment nor will it interfere with any view or prospect listed for protection in the Development Plan. However, although the visual impact of the proposed development when taken in isolation could be considered somewhat limited given the site context, the further erosion of the rural character of this Landscape Character Area attributable to the continued development of one-off piecemeal housing could be held to be detrimental to the visual amenity and rural character of the surrounding landscape.

7.4. Traffic Implications:

- 7.4.1. Following a review of the available information, and having conducted a site inspection, I am satisfied that adequate sightlines can be achieved from the proposed entrance given the comparatively lightly trafficked nature of this rural roadway and the likelihood of reduced traffic speeds due to its overall condition, width and alignment. Furthermore, it is my opinion that the surrounding road network has sufficient capacity to accommodate the additional traffic volumes consequent on the proposed development without detriment to public safety or the obstruction of road users.
- 7.4.2. In relation to the loss of an existing field gate consequent on the proposed development and the disparities identified by the appellants between the landholding maps submitted with the initial planning application and those provided in response to the request for further information, it is clear that the wider farmholding will continue to be accessible via alternate routes.
- 7.4.3. With respect to the existing convex traffic mirror set within the front site boundary opposite an entrance to West House, the presence of this mirror would not appear to be in response to the terms and conditions of any grant of permission. Therefore, I would further suggest that any agreement pertaining to the provision, removal or reinstatement (if feasible) of this feature is a private matter for resolution between the parties concerned.

7.5. Water Supply and Wastewater Treatment & Disposal:

- 7.5.1. It is proposed to install a conventional septic tank system with a percolation area and, therefore, it is necessary to review the available information in order to ascertain if the subject site is suitable for the disposal of treated effluent to ground. In this respect, I would refer the Board to the Site Characterisation Form submitted with the application which indicates that the appeal site overlies a locally important aquifer with moderate vulnerability (Groundwater Protection Response R1). The assessment further details that the trial hole encountered 300mm of SILT / CLAY overlaying 800mm of CLAY intermixed with STONE followed by 500mm of GRAVEL intermixed with STONE (it is unclear if this latter recording extended to the full depth of the trial hole at 2.1m below ground level). Although no rock was encountered, water ingress was observed at 1.6m below ground level with the water table being

recorded at 1.8m BGL. With regard to the percolation characteristics of the underlying soil, a 'T'-value of 33.25min / 25mm and a 'P'-value of 21.85min / 25mm were recorded.

- 7.5.2. In response to the elevated water table and water ingress it is proposed to install a purpose-built percolation area (with a percolation trench invert level of 0.1m BGL) to ensure that a minimum of 1.2m of suitable percolating material is present between the base of the lowest part of the percolation area and the recorded winter groundwater level at 1.6m BGL.
- 7.5.3. In my opinion, while it would appear that the subject site is potentially suitable for the installation of the septic tank system as proposed, subject to conditions, a greater level of detail is required as regards the precise levels of the septic tank system and the associated gravity-fed percolation area (including ground levels, inflows & outflows, and percolation trench base & invert levels) in order to clearly establish that there will be a minimum of 1.2m of unsaturated and undisturbed suitably percolating material present between the base of the lowest part of the percolation trench and the water table / groundwater.
- 7.5.4. With respect to the specific concerns raised as regards the increasing proliferation of individual septic tank and wastewater treatment systems in the surrounding area and the associated risk posed to the groundwater resource, in the absence of any evidence to the contrary, in my opinion, the prevalence of such systems in the area at present would not warrant a refusal of permission.
- 7.5.5. I am also unconvinced that the drawdown associated with the installation of an additional well to serve a private dwelling house at this location would have any significant impact on existing well yields in the surrounding area.

7.6. **Biodiversity / Wildlife Considerations:**

- 7.6.1. Although the proposed development will invariably result in the loss of some plant and animal species from within the footprint of the construction and through the removal of hedgerow, cognisance must also be taken of the fact that the subject lands comprise improved agricultural grassland which is of a comparatively low interest or value from an ecological and biodiversity perspective. Furthermore, the lands in question are not subject to any preservation or amenity orders and no

terrestrial species or habitats of conservation importance have been noted either on site or proximate to it.

7.6.2. Therefore, having regard to the relatively low ecological value of the application site, the nature and scale of the works proposed, the limited loss of existing trees & hedgerow, the provision of additional supplementary landscaping, and the implementation of best practice construction management measures, I am satisfied that the subject proposal is permissible from an ecological perspective.

7.7. Appropriate Assessment:

7.7.1. Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be overturned in this instance and that permission be refused for the reasons and considerations set out below:

9.0 Reasons and Considerations

1. Having regard to:

- a) the location of the site within a rural area identified as being under strong urban influence in accordance with the 'Sustainable Rural Housing Guidelines for Planning Authorities' published by the Department of the Environment, Heritage and Local Government in April, 2005;
- b) 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 demonstratable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements; and

c) the relevant provisions of the Westmeath County Development Plan, 2021-2027 which provide for consideration to be given to the development of rural housing in areas under strong urban influence for those with a definable social or economic need to live in the open countryside,

the Board is not satisfied, on the basis of the information submitted with the application and the appeal, that the applicant has a demonstrable economic or social need to live in this specific rural area. It is considered, therefore, that the applicant does not come within the scope of housing need criteria, as set out in the Sustainable Rural Housing Guidelines and in national policy, for a house at this location. In the absence of any identified locally based need for the house at this location, it is considered that the proposed development would result in a haphazard and unsustainable form of development, would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure, and would undermine the settlement strategy set out in the Westmeath County Development Plan, 2021-2027. The proposed development would be contrary to the Ministerial Guidelines and to the over-arching national policy, with particular regard 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.

Robert Speer
Planning Inspector

17th October, 2022