



Board Direction

Ref: 22.241337

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15th, April 2013.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, for the reasons and considerations set out below.

Reasons and Considerations

- (1) The site of the proposed development is located within an area zoned 'High Amenity' in the North Tipperary County Development Plan 2010 – 2016. It is the policy of the Council to resist houses in the High Amenity Area as set out in Policy HSG 13 of the County Development Plan 2010 except for in a number of defined circumstances. The applicant has not demonstrated any of these circumstances and as such does not comply with the policy requirements as set out in Policy HSG13 of the County Development Plan 2010. As such the proposed development would be contrary to the settlement strategy as set out in the Development Plan and would be contrary to the proper planning and sustainable development of the area.
- (2) The proposed development would result in a house on land that is not zoned for development, outside the settlement boundary of Ballina as defined in the Ballina Settlement Plan (a part of the County Development Plan 2010) which would undermine the clear distinction between the town and surrounding countryside to the detriment of the character and visual amenities of the rural area, and would be incompatible with policy HERT 1 of the County Development Plan 2010, which seeks to maintain a defined Settlement Fringe. As such, the proposed development would be contrary to the settlement strategy of the County, and would be contrary to the proper planning and sustainable off the area.

- (3) The applicant has failed to demonstrate that the proposed dwelling at the application site would not result in the dwelling at the joining site being left on a site of insufficient area with respect to the on-site treatment of foul effluent so as to comply with the requirements of the relevant standards stipulated in the requirements of the EPA's Codes of Practice. Furthermore, as evidenced at the time of site inspection the site is poorly drained, there is already a high concentration of effluent treatment units in the vicinity of the site and in the absence of coherent and consistent information that satisfactorily addresses the matter of effluent disposal from the site, it is considered that the proposed development would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Board Member: _____ Date: 19th, April 2013
Paddy Keogh