



Board Direction

Ref: PL06S.245795

The submissions on this file, the Inspector's report, and the further information submitted to the Board by the applicant and by Irish Water in response to notices issued by the Board, were considered at a further Board meeting held on 2nd June 2016. The Board decided by a majority of 2:1 to refuse permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to IE2 Objective 2 of the South Dublin County Council Development Plan 2016 - 2022, which seeks to protect aquifers within the County from risk of pollution, and to the extent of land that is zoned for development purposes but not served by a public sewer, and in the absence of any plan to extend the sewerage network to this area designated for Enterprise & Employment development, it is considered that the proposed reliance on on-site disposal of foul effluent in an area identified by the Environmental Protection Area as being at very high risk from waste water pollution, and particularly in light of the poor percolation characteristics exhibited on this site by the soil characterisation test, would by itself and by the precedent it would set for similar such undesirable development, result in an unacceptable risk of groundwater pollution, would constitute the haphazard and disorderly development of an area zoned for development, and would be contrary to the provisions of IE2 Objective 2 of the Development Plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Notes:

- (i) The Board noted that on the date of its meeting on 2nd June, the Development Plan then in force was the South Dublin County Council Development Plan 2010 – 2016, whereby the site was designated with an OBJ EP2 zoning objective, which sought to facilitate opportunities for manufacturing, research and development facilities, light industry and employment and enterprise related uses in industrial areas and business parks. At the meeting, the Board also had regard to the EE zoning objective set out in the South Dublin County Council Development Plan 2016 – 2022, and was satisfied that no implications arose in respect of the Board's decision. The 2016 -2022 Plan was made on 16th May 2016, came into force on 12th June 2016, and is the one in force on the date of signing the Board Order.

- (ii) The Board noted the Inspector's recommended reason for refusal, and did not concur with it. The Board is satisfied that the application was made for the entire site by the joint applicants, who jointly own and operate the site. The Board was satisfied that no conflict arose in respect of the previous grant of planning permission, which is not prejudiced by the proposed development. The Board shared the view of the planning authority on this matter, who had accepted the application as valid. The Board also noted that there was no indication from any party on file of any dispute in relation to the legal interest of the joint applicants.

Please issue a copy of this Direction with the Board Order.

Board Member: _____ Date: 16th June 2016
Fionna O' Regan