



An
Bord
Pleanála

Board Direction
BD-000115-18
ABP-300195-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22nd March 2018.

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

Reasons and Considerations

1. The site of the proposed development is located on lands zoned 'Existing Residential' in the Rathkeale Local Area Plan 2012-2018 where it is the objective to ensure that new development is compatible with adjoining uses and to protect the amenity of existing residential areas. Having regard to the restricted nature of the proposed site, the siting of the proposed house immediately behind the established house on the plot and to the rear of neighbouring houses immediately to the south, the inadequacy of separation distances between the proposed development and these adjoining properties, and the loss of privacy arising from overlooking, it is considered that the proposed development would result in overdevelopment of this plot, would seriously injure the residential amenities of adjoining properties, would provide a substandard form of accommodation for the occupiers of the proposed dwelling due to the siting of the proposed house on this restricted site, would contravene the zoning objective for the site, and would, thereby, be contrary to the proper planning and sustainable development of the area.
2. The proposed development involves the subdivision of an existing house site. This subdivision would result in an inadequate site area being provided to

cater satisfactorily for the safe and adequate disposal of septic tank effluent. Furthermore, the layout of the proposed waste water treatment system would be contrary to minimum separation distances between the proposed treatment plant and existing and proposed dwellings as set out in the Environmental Protection Agency's *Waste Water Treatment Manual: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels*. The development would, therefore, be prejudicial to public health.

Board Member

Date: 22/03/2018

Maria FitzGerald