



An
Bord
Pleanála

Board Direction
BD-000156-18
ABP-300527-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on April 4th 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. It is considered that the applicant has not demonstrated that he has an established rural housing need by reference to the provisions of the Longford County Development Plan 2015 – 2011, including policies HOU RUR 3 and CS 12 with regard to one-off houses in rural areas and to related policy HOU RUR 7 which requires the Planning Authority to have regard to the Sustainable Rural Housing Guidelines. Accordingly, the Board is not satisfied that the proposed development of a new dwelling in this rural area, outside of any settlement or development envelope, would fulfil a specific rural housing need or contribute to sustaining the rural community in which it is proposed. The proposed development would, therefore, be contrary to the provisions of the Development Plan and to the proper planning and sustainable development of the area.
2. The ground conditions evident on site indicate poor draining saturated soils and a high water table which would not generally be suitable for disposal of treated effluent on site, notwithstanding proposals for secondary and tertiary treatment. The Board is not satisfied that, when taken in conjunction with the high concentration of waste water treatment units in the area, the development would

not contribute to unacceptable increase of nitrate levels in the receiving groundwater. Accordingly, it has not been demonstrated that the effluent which would be generated as a result of the development can be adequately treated and safely disposed of on-site without risk to groundwater quality. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to its location, outside any settlement designated in the Longford County Development Plan 2015 - 2021, and having regard to the existing pattern of development in the vicinity, it is considered that the proposed development would contribute to, and exacerbate, unsustainable patterns of ribbon development of one-off housing extending out along a route from a settlement which, under Policy HOU RUR 5 of the Longford County Development Plan 2015-2021, is to actively discouraged. Policy HOU RUR 3 also includes a stated presumption against ribbon development outside of designated settlements. The proposed development would be in conflict with these policies and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board noted the revised proposals for waste water treatment on the site, which were included with the grounds of appeal. The Board concurred with the view of the Inspector that there was a lack of clarity presented in relation to the revised proposals, including the fact that reed bed systems and willow systems had both been referenced as a method for tertiary treatment in the appeal but it was unclear which of these types was proposed or if a hybrid of both systems may be proposed. In addition, site-specific details had not been submitted, for example, longitudinal and cross sections and technical design details of the reed bed (or willow) proposed including species of plants, or the competence and past experience of the designer who would design the system and the contractor who would install this specific element of the proposal for tertiary treatment of effluent. In the absence of this key technical information, the Board considered that the proposal would not comply with the Development Plan policy, HOU RUR 8, which includes a requirement for full site-specific details of the proposed system and manufacturer's certification. However,

the Board did not consider it appropriate to delay consideration of the application by seeking further information on these aspects of the revised proposals for waste water treatment, in the light of the other substantive reasons for refusal, which are set out in its Order.

[Please issue a copy of this Direction with the Board Order to the parties].

Board Member

Date: 4th April 2018

Philip Jones