



An
Bord
Pleanála

Board Direction
BD-000889-18
ABP-301316-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/08/2018.

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

Reasons and Considerations

1. Development of the kind proposed on the land would be premature by reference to the existing wastewater constraints and the Board is not satisfied that there is certainty around the period within which the constraints involved may reasonably be expected to cease. It is considered that the proposed development at a location where there is limited capacity for development, having regard to these deficiencies and given that the existing wastewater treatment plant to which the proposed development would connect is currently in breach of the Emission Limit Values at the primary discharge point as noted by the EPA, would be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually or in combination with other plans or projects, would not be likely to have a significant effect on Ballymacoda (Clonpriest and Pillmore) Special Area of Conservation (Site

Code 000077), in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting permission.

3. Having regard to the information available including the Flood Risk Assessment report submitted, the Board considers that there is a lack of clarity regarding the flood risk at the northern end of the site.

In particular, the Board is not satisfied with the basis for the designation of part of the site as being within Flood Zone A and whether this information is compiled from the most up to date studies.

Therefore, the Board is not satisfied that the layout of the northern end of the site, which is heavily dominated by open space in response to the Flood Zone A is appropriate.

Board Member

Date: 09/08/2018

Terry Ó Niadh

Note: The Board is not satisfied that the proposed residential development would be developed at a sufficiently high density to provide for an acceptable level of efficiency in the use of serviced lands and would accordingly be contrary to National Policy as set out in the section 28 Ministerial Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.