



An  
Bord  
Pleanála

**Board Direction**  
**BD-001931-18**  
**ABP-302552-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/12/2018.

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

### **Reasons and Considerations**

1. There is a lack of certainty in relation to the wastewater network capacity, pump station capacity and the water storage requirements for the development. Having regard to the existing deficiency in the provision of adequate sewerage and water supply infrastructure serving the subject site, it is considered that the proposed development would be premature by reference to the existing deficiencies in the provision of sewerage and water supply facilities and the period within which this constraint may reasonably be expected to cease and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the information provided in the Appropriate Assessment Screening Report dated 26 June 2018, and the absence of any assessment of the potential for effects from the deficiencies in the existing municipal sewer network and treatment system, the Board could not be satisfied that the potential for effects on Special Conservation Interest bird species of the Murrough SPA (site code 004186) or the potential effects on qualifying interests (Annual vegetation of drift lines, Perennial vegetation of stony banks, Atlantic salt meadows, Mediterranean

salt meadows, Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae* and Alkaline fens) within the Murrough Wetlands SAC (site code 002249) could be logically ruled out. The Board therefore cannot be satisfied, beyond reasonable scientific doubt, that the proposed development, either individually or in combination with other plans and projects, would not adversely affect the integrity of these European sites, the Murrough SPA and the Murrough Wetlands SAC in view of the sites' conservation objectives.

3. The proposal for the construction of 14 no. residential units viz. 113-122, on lands zoned open space would materially contravene an objective indicated in the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019, which objective is considered reasonable. It is considered that the inclusion of these houses, within an area of land in which residential development is not permitted, would not be in accordance with Section 3 of the Planning and Development (Housing) and Residential Tenancies Act, 2016. Act. Accordingly, the Board is not in a position to grant permission for these residential units.

**Board Member**

**Date:** 12/12/2018

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Terry Ó Niadh