



An
Bord
Pleanála

Board Direction
BD-006044-20
ABP-306818-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/07/2020.

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 proposed development being on elevated ground to the rear of existing residential properties would constitute a random and incongruous back land development which would militate against the preservation of the rural environment. To permit the development would set an undesirable precedent for similar inappropriate development, would give rise to an excessive density of development in the area which is served by a poor road network and would be contrary to the green belt zoning objectives pertaining to the site and the proper planning and sustainable development of the area.
2. The applicant has failed to demonstrate to the satisfaction of the Board that the proposed waste water treatment system will cater for waste water on site in accordance with the EPA Code of Practice 2009 in terms of required separation distances to existing wells and percolation areas. As such the proposed development is considered to be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

[Note: Having regard to the location of the site within an area under strong urban influence as identified in the "Sustainable Rural Housing Guidelines for Planning

Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy to “facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area...having regard to the viability of smaller towns and rural settlements”, it is considered, contrary to the Inspectors assessment, that the applicant has not demonstrated an economic or social need to live in this rural area in accordance with national policy. The proposed development, in the absence of any definable or demonstrable need for the house, would contribute to the encroachment of random rural development in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, contravene the Ministerial Guidelines and be contrary to national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The Board decided not to include this as an additional reason having regard to the substantial reasons for refusal above.]

Board Member

Date: 03/07/2020

Stephen Bohan