



An
Bord
Pleanála

Board Direction
BD-007594-21
ABP-308502-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/02/2021.

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

Reasons and Considerations

- 1) On the basis of the information provided with the application and the 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 result in adverse effects on the integrity of the Slyne Head Peninsula Special Area of Conservation (Site code 002074) in view of the sites Conservation Objectives by reason of the appeal sites location within this Natura 2000 site that may result in direct effects due to construction and development related emissions associated with the development and therefore the Board is precluded from granting permission.
- 2) Having regard to the failure of the applicant to demonstrate satisfactory evidence within the submissions received in relation to the planning status of the existing development on site, in conjunction with the proposal to hereby augment and further intensify the said entity, the Board considered that the proposed development would if permitted and in the absence of demonstrable contrary evidence would if permitted perpetuate and intensify existing unauthorised development on site. Accordingly, to grant the development as proposed would therefore be contrary to the principles of the proper planning and sustainable development of the area.

- 3) On the basis of the information submitted with the application and appeal and the lack of adequate supporting evidence of the EPA test excavation area on site, the Board is not satisfied that the safe disposal of domestic effluent on site can be treated in strict accordance with the EPA Code of Practice Manual 2009 for Wastewater Treatment and disposal systems serving single houses. Accordingly, to grant the proposed development would be prejudicial to public health, would be contrary to the EPA Code of Practice Wastewater Manual and to Objective WW5 of the County Development Plan.

Board Member

Date: 24/02/2021

Maria FitzGerald