

An
Bord
Pleanála

Board Direction
BD-008790-21
ABP-308810-20

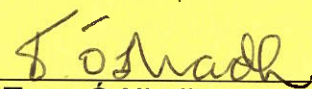
The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/07/2021.

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

1. Having regard to the location of the site within an area identified as being an 'Area Under Strong Urban Influence' (Figure 7 – Rural Area Designations) in the Laois County Development Plan 2017-2023, to Regional Policy Objective RPO 4.80 of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031, and to National Policy Objective 19 of the National Planning Framework which seeks to facilitate the provision of single houses in the countryside in areas under urban influence based on the core consideration of demonstrable economic or social need to live in a rural area, it is considered that the applicants might not come within the scope of the housing need criteria as set out for a house at this location. It is considered that the applicants have not sufficiently demonstrated an economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development might not comply with Regional Policy Objective 4.80 and National Policy Objective 19. In the absence of any identified locally based need for the house, the proposed development might be contrary to regional and national housing policy and objectives and might, therefore, be contrary to the proper planning and sustainable development of the area.

2. In relation to Wastewater Treatment, the Board noted that the site is in an area with a regionally important aquifer of moderate vulnerability. From the Site Characterisation Form submitted with the Application, the Board noted that the T-test result was 57.50. A P-test was also carried out giving a result of 18.31. Based on the P-test result, the Site Characterisation Form suggests that the site would appear suitable for a secondary treatment system with a polishing filter at ground surface or overground. In terms of separation distances, the Board noted that Section 1 (General Details) of the Site Characterisation Form states that there are 4 no. double bedrooms proposed giving a maximum number of residents/design population equivalent of 6. However, there are 5 no. double bedrooms proposed giving a design population equivalent of 7. The 300sqm surface area for the polishing filter as set out in Section 6 (Treatment System Details) is therefore inaccurate. This area was calculated 'using T values of 51-75 for 6 DPE'. As the incorrect number of bedrooms was cited, the area proposed appears to be undersized and an area of ≥ 350 sqm is required. This may have implications for separation distances etc. given the size of the site.

Board Member


Terry Ó Niadh

Date: 23/07/2021