

An  
Bord  
Pleanála

**Board Direction**  
**BD-008515-21**  
**ABP-309506-21**

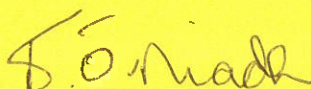
The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/06/2021.

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

#### **Reasons and Considerations**

Having regard to the location of the proposed dwelling on an elevated and exposed ridge, it is considered that the proposed development would constitute an obtrusive feature on the landscape and would materially contravene objective LP-01 of the Mayo County Development Plan 2014-2020 whereby it is an objective to recognise and facilitate appropriate development in a manner that has regard to the character and sensitivity of the landscape and to ensure that development will not have a disproportionate effect on the existing or future character of a landscape in terms of location, design and visual prominence. This policy is considered reasonable. Therefore, the proposed development would interfere with the character of the landscape, would be contrary to objective LP-01 of the Development Plan and would be contrary to the planning and sustainable development of the area.

**Board Member**

  
Terry Ó Niadh

**Date:** 11/06/2021

**Note:**

The Board noted the following matters in examining this appeal, which could give rise for concern but, as there was already a substantive reason for refusal, decided not to follow up these matters further in the context of this appeal.

*1. Wastewater Treatment*

The applicant submitted a site suitability assessment for the proposed wastewater treatment system. This identified the site as being over a locally important aquifer of low vulnerability. It identified the water table at 0.8 metres below the ground level, with generally impermeable, loamy and peaty soil. The Board considers such a site to be generally unsuitable for the disposal of wastewater, even if treated. The applicant has proposed a system including raised bed, which in some circumstances may be acceptable. However, the proposed percolation area is around 25 metres from the adjoining dwelling, which crucially is at a lower level than the appeal site, so likely downgradient from any surface or subsurface flows. This is considered to be a highly unsatisfactory situation as the possibility of surface flows in the event of a failure of the wastewater treatment plant or the percolation beds should be a realistic possibility in the real-world application of such treatment plants.

*2. Traffic*

The road connection at the site is very substandard in both width and alignment and the nearby junction with the L-road running through the townland. It is considered that the precedent of permitting dwellings along such a road would be of concern, given the implications for road safety

*3. Rural Housing Need.*

The subject site is located in a rural unzoned area which is identified by the Planning Authority as being in an area under strong urban pressure. The 'Sustainable Rural Housing Guidelines for Planning Authorities' issued by the Department of the Environment, Heritage and Local Government in April,

2005, has as a policy to distinguish between urban-generated and rural-generated housing need for dwellings in rural locations. Furthermore, it is national policy, as set out in the National Planning Framework, under National Policy Objective 19, 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”. On the basis of the documentation submitted with the application and appeal, the Board is not satisfied that the applicants have a demonstrable economic or social need to live in this rural area, or that their housing need could not be satisfactorily met in an established smaller town or village/settlement centre.

