

An
Bord
Pleanála

Board Direction
BD-009708-21
ABP-309672-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/12/2021.

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

Reasons and Considerations

1. Having regard to the designation of Ballymoney as a 'Smaller Village' in the core strategy of the current Wexford County Development Plan, 2013-2019, to the scale of development proposed, and to the provisions of the 'Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009', it is considered that the proposed development would constitute an excessive level of development which would be out of character with the existing pattern of development and would compromise and detract from the rural character of the coastal village of Ballymoney. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development, by reason of its excessive scale, form and suburban layout, would detract from the distinct rural character of the village of Ballymoney, would result in an inappropriate form of extension to this small village, and would conflict with the policies and objectives of the current Development Plan for the area. The proposed development would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

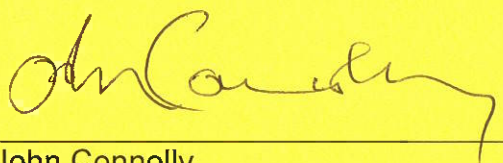
3. Having regard to the documentation submitted with the planning application and the appeal, the exclusion of a suitable wastewater treatment system from the development site, and the proposal to connect to and rely on a commercial establishment, the operation of which is the subject of enforcement proceedings, the Board is not satisfied that suitable wastewater treatment facilities will be available to, and under the control of, future owners / occupiers of the proposed dwellings at all times. In this regard, it is considered that the proposed development would be piecemeal and contrary to Objective WW05 of the Wexford County Development Plan, 2013-2019 and would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. Having regard to the Board's concerns in relation to the unavailability of suitable wastewater facilities and the associated impact on groundwater, and to the proposal to supply water to the proposed development from an existing groundwater supply serving the Seafield complex, the Board is not satisfied that the proposed development can be adequately serviced with a clean supply of drinking water. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The proposed development does not comply with national policy on Childcare Facilities, as set out in the Guidelines for Planning Authorities issued by the Department of the Environment & Local Government in June, 2001, and would be detrimental to the amenities of future residents and, thereby, would be contrary to the proper planning and sustainable development of the area.

Note: The Board noted, and shared, the Inspector's concerns that the proposed development does not adhere to broader principles of the risk-based sequential approach advocated by the '*Planning System and Flood Risk Management, Guidelines for Planning Authorities*'. However, as the Board considered this to be a new issue, it decided not to pursue this matter further with the parties.

Board Member



John Connolly

Date: 21/12/2021