

An
Bord
Pleanála

Board Direction
BD-008787-21
ABP-310126-21

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.

Reasons and Considerations

1. As set out under section 4.5 of the Sustainable Rural Housing Guidelines, the key to protecting water quality in the context of providing new dwellings in unsewered rural areas is to ensure that new development is guided toward sites where acceptable wastewater treatment and disposal facilities can be provided, avoiding sites where it is inherently difficult to provide and maintain. The provisions of section 4.6.5 of the Cork County Development Plan 2014 state that it is essential that, in making an application for rural dwelling houses, the original site selection process verifies in the first instance that the site is suitable for an on-site wastewater treatment system.

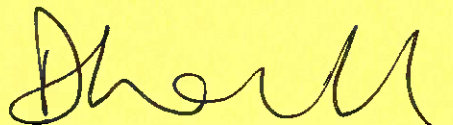
The proposed development would be prejudicial to public health because it is considered that the subsoil, as indicated by tests, is unsuitable for the treatment of septic tank effluent, notwithstanding the use of a proprietary wastewater treatment system. It is considered that the proposed development would be contrary to the site selection guidance set out in the Sustainable Rural Housing Guidelines and the Cork County Development Plan and would therefore not be in accordance with the proper planning and sustainable development of the area.

Note

The Board also noted that, on the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board could not 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 River Blackwater Special Area of Conservation (site code: 002170) in view of the Site's Conservation Objectives. In such circumstances, the Board would be precluded from granting permission.

Furthermore, the Board considered that, notwithstanding the planning authority's determination that the applicant was in compliance with the requirements of the County Development Plan in respect of rural housing need in this area under strong urban influence, there was limited information provided in relation to the nature and extent of his agricultural activities, which would further assist in assessing compliance with relevant objectives of the National Planning Framework and Regional Spatial and Economic Strategy for the Southern Region.

Board Member



Dave Walsh

Date: 23/07/2021