

An
Bord
Pleanála

Board Direction
BD-011176-22
ABP-311961-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/08/2022.

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

Reasons and Considerations

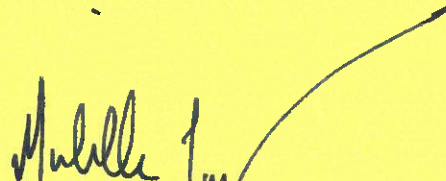
1. Having regard to the density of houses served by individual wastewater treatment systems in the immediate vicinity and in light of the shallow depth to bedrock, silt clay and clay soil and subsoil texture and classification and visible vegetation indicators on site demonstrative of poor drainage, the Board is not satisfied on the basis of the information submitted in connection with this appeal, that the site can be drained satisfactorily by means of a septic tank, notwithstanding the use of a proprietary wastewater treatment system. It is considered, therefore, that the proposed development would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

2. On the basis of the submissions made in connection with the planning application and appeal, the Board is not satisfied that the application has been made by a person who has ;
 - a) sufficient legal estate or interest in the land the subject of the application to enable the person to continue the existing use of, or carry out the proposed works on the land, or

- b) the approval of the person who has such sufficient legal estate or interest.

In these circumstances, it is considered that the Board is precluded from giving further consideration to the granting of permission for the development the subject of the application.

Board Member



Michelle Fagan

Date: 26/08/2022