

An
Bord
Pleanála

Board Direction
BD-012432-23
ABP-312752-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2023.

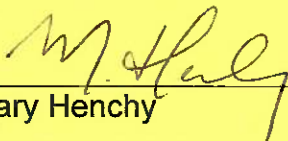
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the zoning of the site for sport and recreation and the classification of residential use as "not permitted" under this zoning in the Cavan County Development Plan 2022 – 2028, the proposal to develop this site to provide 21 dwelling houses would contravene materially the zoning objective for it, which is to "Protect and provide for sporting and recreational areas." This proposal would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the fact that, until the Ballyjamesduff WWTP is upgraded, the proposal would have to rely upon a private WWTP, which would discharge into the Pound Stream, the assimilative capacity of which is unknown, the applicant has failed to demonstrate that this WWTP would be capable of operating without an unacceptable deterioration in the water quality of this Stream and the River Mount Nugent into which it flows. In these circumstances, this proposal may result in the pollution of this river system with the attendant threat to public health that this would pose. It would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board noted the Inspectors appropriate assessment screening conclusion. The Board considered that further analysis would ordinarily have been warranted however having regard to the substantive reason for refusal set out above it was decided not to pursue this matter further in the context of the current appeal.

Board Member



Mary Henchy

Date: 13/06/2023