

An
Bord
Pleanála

Board Direction
BD-013516-23
ABP-313531-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/09/2023.

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

Reasons and Considerations

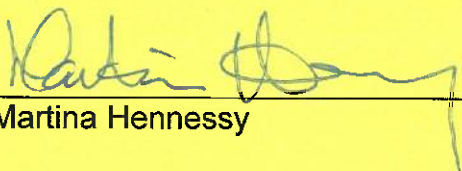
Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board had regard to the proliferation of domestic wastewater treatment systems in this rural area, the high level of the water table on site, the location of the site above an aquifer classified as locally important with groundwater vulnerability indicated as being high and to the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of Environment, Heritage and Local Government 2005 which recommend, in un-sewered rural areas, avoiding sites where it is inherently difficult to provide and maintain wastewater treatment and disposal facilities. The Board could not be satisfied, on the basis of the information on the file, that the impact of the proposed development in conjunction with existing wastewater treatment systems in the area would not give rise to a risk of groundwater pollution and potential impact on adjacent neighbouring wells. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

- 1) The Board noted the Inspector's view regarding the location of the proposed development along a minor laneway which is inadequate in width, alignment and structural conditions, and which could give rise to a potential traffic hazard. The Board shared these concerns. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reason for refusal above, it was decided not to pursue this matter under the current appeal.

- 2) The Board also noted the number 1 reason for refusal as recommended by the Inspector. The Board considered this a new issue in respect of this appeal. While the Board considered that the applicant had demonstrated he meets the criteria for being considered an intrinsic part of the rural community under section 9.4 of the Meath Development Plan 2021-2017, having lived in the rural area for a period in excess of five years and not having possessed a dwelling previously, the Board shared the view of the Inspector that the proposed development falls outside the Rural Node of Drumree. While ordinarily this would warrant further consideration and a request for further information, given RD Obj 1 in the Meath County Development Plan 2021-2027, in this instance, given the substantive reason for refusal above, it was decided not to pursue this matter under the current appeal.

Board Member


Martina Hennessy

Date: 01/09/2023