

An
Bord
Pleanála

Board Direction
BD-013604-23
ABP-313822-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/09/2023.

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

Reasons and Considerations

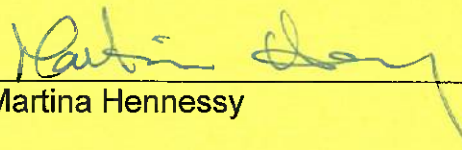
1. Having regard to the location of the slatted tank to be retained, which is upgradient of a private well and less than 30 metres from that, the Board is not satisfied, in the absence of a hydrogeological report by a suitable qualified expert, which demonstrates that the development to be retained would not give rise to a serious risk of pollution to a private water supply, that the development proposed to be retained, would therefore be prejudicial to public health.
2. It has not been demonstrated to the satisfaction of the Board, that the slatted tank to be retained, is watertight and would not give rise to risk of pollution, in the absence of certification from a suitably qualified expert. The development to proposed to be retained, would therefore be prejudicial to public health.

Note:

The Board also considered that the plans and particulars submitted with the application, are lacking in detail in relation to the location of wells in the vicinity of the site, do not show contours of the land as required under Article 23 of the Planning and Development Regulations 2001, as amended, and do not provide details in relation to surface water disposal. While ordinarily these would warrant further consideration and a request for further information, in this instance given the

substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.

Board Member


Martina Hennessy

Date: 07/09/2023