



An
Bord
Pleanála

Board Direction
BD-014003-23
ABP-314034-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/10/2023.

The Board, by majority decision (2:1) decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. The proposed development would materially contravene the 'A1' Development Plan zoning objective for this site – which seeks to provide for new residential communities and Sustainable Neighbourhood Infrastructure in accordance with approved local area plans. The appeal site lies within the Rathmichael Local Area Plan (LAP) boundary – for which lands, Table 2.16 of the Plan indicates that a new LAP is to be prepared. The proposed development would pre-empt any proposals which the planning authority may wish to implement in relation to density of development and/or provision of sustainable neighbourhood infrastructure.
2. The proposed development would set an undesirable precedent for other similar types of development in the area – pending the adoption of the Rathmichael LAP.
3. In the absence of detailed knowledge in relation to the density of private septic tanks/effluent treatment units in the immediate area, the proposal to serve the development with a proprietary effluent treatment plant could be

prejudicial to public health – being located within the Rathmichael Area Ground and Surface Water Protection Zone.

4. a. In the absence of a public footpath network on Falls Road, the proposed development would endanger public safety by reason of traffic hazard.
- b. The proposed development would endanger public safety by reason of traffic hazard, resulting from additional vehicular traffic movements, at an egress point where sight distance in a north-westerly direction is currently impacted by a roadside public lighting column.

Board Member


Liam Bergin

Date: 06/10/2023