

An
Bord
Pleanála

Board Direction
BD-014494-23
ABP-315046-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/11/2023.

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

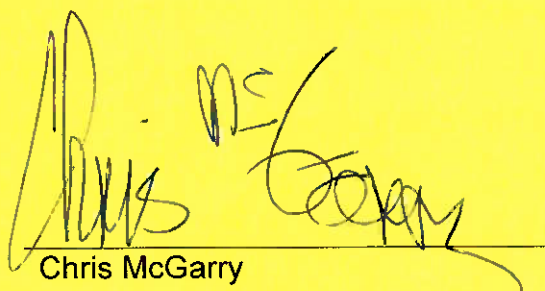
Reasons and Considerations

1. Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board noted the absence of information in the application and appeal documentation with regard to the existing treatment system on site, the high level of the water table on site, the dependency on groundwater for water supply, and 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. Having regard to the above, 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. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is intended to be carried out on a site where it appears unauthorised development has taken place, including a dwelling for which no details have been provided which would enable an assessment as to its relationship to the proposed development to be carried out. Furthermore, in relation to the vehicular access onto the public road upon which the proposed development relies, it is not certain from the documentation submitted with the application and appeal as to its authorised status. Nor is any reference made to the vehicular access in the statutory notices accompanying the planning application. In this regard the Board cannot be satisfied that the proposed development would not consolidate unauthorised development at this location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: the Board noted the recommended reason for refusal as set out by the Inspector, relating to the issue of rural housing need. The Board considered that, ordinarily, this issue would warrant further consideration and possibly further information prior to the making of a decision. However, noting that this is a new issue in the context of the appeal and having regard to the substantive reasons for refusal set out above, it was decided not to pursue this matter in the context of the current appeal.

Board Member



Chris McGarry

Date: 07/11/2023