



An  
Bord  
Pleanála

**Board Direction**  
**BD-013879-23**  
**ABP-316362-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/09/2023

The Board determined, generally in accordance with the Inspector's recommendation and for the following reasons and considerations, to set aside the determination of the local authority and allow the appeal.

### **Reasons and Considerations**

Having regard to the determination by the local authority, the submitted grounds of appeal, the provisions of the section 653B of the Taxes Consolidation Act 1997, as amended, and the RZLT Guidelines, the site is not served by existing pedestrian infrastructure and would require upgrades to connect to existing provision, which would likely require works on lands in third party ownership, and as such cannot be considered in-scope for the RZLT.

#### **Note:**

The Board did not agree with the inspector that the availability of wastewater and water connections to serve the site had not been demonstrated. In this regard, the Board took into account section 3.2.3 of the RZLT Guidelines and considered that the Local Authority's submission on the appeal on the matter of availability of water and wastewater, including reference to correspondence from Uisce Éireann who confirmed that a watermain and public sewer exist on the public road that can serve the site, was relevant. The Board was satisfied that it was reasonable to accept, based on the Local Authority's knowledge and information provided, that the site can be serviced with water and wastewater infrastructure.

**Board Member**

Patricia Calleary  
Patricia Calleary

**Date:** 25/09/2023