



An  
Bord  
Pleanála

**Board Direction**  
**BD-016834-24**  
**ABP-318551-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/06/2024.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

It has not been demonstrated to the satisfaction of the Board that the proposed development will not cause overloading at the wastewater treatment plant, potentially impacting on receiving waters. The proposed development therefore may be prejudicial to public health and is contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered the totality of the file. The Board did not concur with the Inspector's conclusion regarding access to services.

The Board considered the proposal to construct four houses is premature, from the information available to the Board it is evident that the proposed development is in an area served by a constrained wastewater treatment plant, certainty of availability of capacity to facilitate a future connection has not been provided.

The appeal includes correspondence from Uisce Eireann received by the Planning Authority, 7<sup>th</sup> September 2023 that states, "Rosslare Strand WWTP has 'amber' status, as it does not consistently meet the requirements of the EPA Wastewater Discharge Licence, therefore under Regulations 43 of the Wastewater Discharge Authorisation Act the Planning Authority must complete a Combined Approach

Assessment for this application. Given this assessment has yet not begun, it may be prudent to refuse planning accordingly". The report on file from the Planning Authority refers to the fact that no assessment of the Combined Approach Assessment has been conducted. Therefore, the Board concurred with the Planning Authority that the scheme as proposed may be prejudicial to public health.

**Board Member**

  
Mary Henchy

**Date:** 26/06/2024