

An
Coimisiún
Pleanála

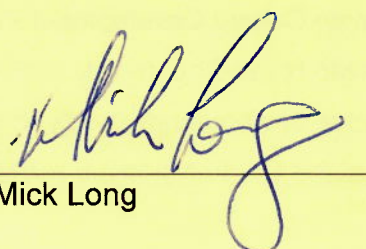
Direction
CD-020570-25
ABP-322382-25

The submissions on this file and the Inspector's report were considered at a meeting held on 01/09/2025.

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

Planning

Commissioner:


Mick Long

Date: 01/09/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the location of the site in a rural area, within an area under 'Strong Urban Influence' as identified in the Cavan County Development Plan 2022 – 2028 and having regard to the stated provisions of Objectives RH07, SUI 01 and SUI 02 of the said development plan relating to rural housing in such areas where consideration of new housing is restricted to persons demonstrating local need and/or persons with a social/economic tie to the area, which is considered to be reasonable, it is considered that the applicant has not demonstrated that they come within the scope of the housing need criteria, as set out in the development plan for a house at this location, as they have not provided appropriate documentary evidence demonstrating compliance with the requirements of said plan. The proposed development would, therefore, be contrary to the stated provisions of section 12.13.2

– Rural Housing of the Cavan County Development Plan 2022 - 2028 and would be contrary to the proper planning and sustainable development of the area.

2. The development includes the retention of a septic tank and percolation area that do not meet the required separation distance to an existing well as required under Table 6.2 of the 'EPA Code of Practice: Domestic Waste Water Treatment Systems'. A separation of only 12 metres from the treatment system and 20 metres from the percolation area to the well is indicated when the minimum requirement is for 25 metres. The retention of the development would be prejudicial to public health and would, therefore be contrary to the proper planning and sustainable development of the area.

Note: The Commission noted the nature of the development as a single storey log cabin and the requirements of Appendix 22 of the Cavan County Development Plan 2022-2028 Design Guide for Single One-off Houses within Cavan Rural Countryside which states log cabins are considered to be suitable in woodland or edge of woodlands areas only. Given the substantive nature of the reasons for refusal the Commission did not raise the matter further.