



An
Coimisiún
Pleanála

Commission Direction
CD-000518
PL-500636-DL-26

The submissions on this file and the Inspector's report were considered at a meeting held on 05 May 2026.

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

Planning Commissioner:

Mary Gurrie

Mary Gurrie

Date: 06/05/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The proposed development would be accessed from a substandard and constrained laneway that is inadequate in terms of its width and structure. Having regard to the entirety of the information on file, the Commission was not satisfied that the applicant had demonstrated sufficient legal interest, or had the consent

of adjoining landowners, to undertake the works required to upgrade the lane's structure and width, and in these circumstances the Commission is precluded from granting permission. Furthermore, having regard to the location of the site within the settlement boundary of Mountcharles, and the other lands accessed from the same laneway, including the neighbouring field to the northeast and the applicant's wider landholding, it is considered that the proposed development would set an undesirable precedent for future residential development reliant on this deficient access. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

Having regard to the information submitted in the Site Characterisation Form, and in particular the depth to the water table and the absence of information in relation to a second pre-soak for the Percolation Test Hole which is required in Section 3.3(a) of the form, the Commission was not satisfied that it had been adequately demonstrated that the site was suitable for the safe disposal of wastewater. While ordinarily this would warrant further consideration and a request for further information, in this instance given the substantive reason for refusal above, it was decided not to pursue this matter under the current appeal.