

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Louth County

Planning Register Reference Number: 15/602

An Bord Pleanála Reference Number: PL 15.246052

APPEAL by Bernard Murphy care of Ken Babington of Oriel Hub, Finnabair Business Park, Dundalk, County Louth against the decision made on the 17th day of December, 2015 by Louth County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a detached single-storey dwellinghouse, installation of a wastewater treatment system with percolation area and associated site works at Annagh McCanns, Knockbridge, County Louth.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The proposed development is located in a rural area within an Area under Strong Urban Influence as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005. It is an objective of the planning authority, as expressed in the current development plan for the area, to channel housing into the identified settlements in accordance with the Core Strategy, and to require that qualifying criteria are met for rural housing in accordance with Policy RD29 and Policy SS18 of the Louth County Development Plan 2015. This objective is considered reasonable. The applicant does not come within the scope of the qualifying criteria for rural housing as set out in Section 2.19.1 of the development plan and the proposed development, therefore, is contrary to the objectives of the development plan. Furthermore, taken in conjunction with existing and permitted development in the area, it is considered that the proposed development would give rise to an excessive density of development in a rural area, all served by individual wastewater treatment systems. This would lead to demands for the uneconomic provision of further public services and facilities in an area where these are not proposed. The proposed development would, therefore, would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

2. Having regard to the pattern of development in the vicinity, and to the means of wastewater disposal proposed, it is considered that the proposed development would add to a proliferation of septic tanks and individual wastewater treatment systems in an area which is identified by the Environmental Protection Agency as an area under very high risk of pollution from domestic wastewater systems. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.