

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D15A/0734**

An Bord Pleanála Reference Number: PL 06D.246174

**APPEAL** by Kevin and Anne MacNicholas care of Auveen Byrne and Associates of Lioscarran House, 32 Dale Road, Kilmacud, Stillorgan, County Dublin against the decision made on the 22<sup>nd</sup> day of January, 2016 by Dún Laoghaire-Rathdown County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Revised storm water and foul wastewater disposal arrangements for house permitted under An Bord Pleanála appeal reference number PL06D.242929/Dún Laoghaire-Rathdown County Council planning register reference number D13A/0424.

The proposed works will comprise:

- (a) Biocycle wastewater treatment plant,
- (b) 25 square metres area by 1.5 metres over ground level sand polishing filter,
- (c) 3,000 litre underground rainwater harvesting tank, and
- (d) 8 metres by 4 metres by 0.5 metres over ground level surface water soakaway,

and all associated drains and details of permeable surfaces to driveway and patios, all at Ashton, Killiney Hill Road, Killiney, County Dublin.

## 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**

Having regard to the policies set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022 which seek, inter alia, to 'strongly discourage the provision of individual septic tanks and domestic wastewater treatment systems and, where applicable, to connect the development to the public sewer mains network, in order to minimise the risk of groundwater pollution', to the planning history of the site, to the ground conditions on site, to the absence of a site characterisation form in the documentation on file and to the location of the proposed development in a residentially zoned area where public foul sewer infrastructure exists, the Board is not satisfied that the proposed development would not create an unnecessary potential risk to public health, would not be contrary to development plan policy and would not set an undesirable precedent for similar developments in the area. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2016.**