

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Leitrim County

Planning Register Reference Number: P.16/2

An Bord Pleanála Reference Number: PL 12.246361

APPEAL by Sheila Deane care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 26th day of February, 2016 by Leitrim County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of two storey dwellinghouse with domestic garage and secondary effluent treatment system, connection to public watermains, site access, site development works and all associated services at Cladragh, Carrick-on-Shannon, County Leitrim.

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 site is located in an area which is designated in the current Leitrim County Development Plan as an Area of High Visual Amenity in relation to which it is a policy of the planning authority to control development in order to maintain the scenic value, recreational utility and existing character of the area. This policy is considered reasonable. It is considered that the proposed development would materially contravene this policy, would detract to an undue degree from the rural character and scenic amenities of the River Shannon corridor and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The applicant does not satisfy the requirements of Policy 17 of the current Leitrim County Development Plan 2015-2021 in respect of the criteria governing proposed development within areas of Low Capacity/Low Availability in terms of accommodating one off housing type development within the countryside. On the basis of the information submitted with the application and the appeal, it is considered that the applicant does not come within the scope of Policy 17 as she does not currently live in the low capacity area or in the immediate vicinity of the proposed site nor has she shown that she is originally native to the low capacity area. The proposed development would, therefore, conflict with Policy 17 and would be contrary to the proper planning and sustainable development of the area.
3. Having regard to the soil conditions and high water table, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the site can be drained satisfactorily by means of a septic tank, notwithstanding the proposed use of a propriety wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.

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

Dated this day of 2016.