

## **Board Order PL 26.247950**

Planning and Development Acts 2000 to 2017

**Planning Authority: Wexford County Council** 

Planning Register Reference Number: 20161244

**Appeal** by Aidan Kenny care of Conroy Crowe Kelly of 65 Merrion Square, Dublin against the decision made on the 6<sup>th</sup> day of January, 2017 by Wexford County Council to refuse permission.

**Proposed Development:** Construction of 12 four bedroom two-storey detached houses and a 233 square metres single storey local shop on lands accessed opposite Saint David's Church, together with associated engineering works including connection to and provision for the upgrade of Davidstown sewage treatment works, all at Ballygillistown, Davidstown, County Wexford.

## **Decision**

REFUSE permission for the above proposed development in accordance with 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. Development of the kind proposed on the land would be premature by reference to the existing deficiency in the provision of sewerage facilities, being the lack of capacity of the Davidstown Waste Water Treatment Plant, and the period within which the constraints involved may reasonably be expected to cease. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 2. On the basis of the information provided with the application and appeal, including the Natura Impact Statement, and noting, in particular, the existing capacity constraints at the Davidstown Waste Water Treatment Plant, the Board is not satisfied that the proposed development, individually or in combination with other plans or projects, would not adversely affect the integrity of the Slaney River Valley Special Area of Conservation (site code 000781) or the Wexford Harbour and Slobs Special Protection Area (site code 004076), in view of the sites' conservation objectives. In such circumstances the Board is precluded from granting planning permission.

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

Dated this day of

2017

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