



Planning and Development Acts 2000 to 2018

Planning Authority: Sligo County Council

Planning Register Reference Number: P18/158

APPEAL by Kieran McDonagh care of LiD Architecture of Thorn Road, Letterkenny, County Donegal against the decision made on the 18th day of June, 2018 by Sligo County Council to refuse permission for the proposed development.

Proposed Development: The construction of a dwelling house with proprietary effluent treatment system and percolation area, and all associated site works, including repair and rebuilding of adjoining walls along the road edge with openings for vehicular and pedestrian access at Breeoge, Knocknahur, County Sligo.

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. Having regard to the location of the site within an area identified as under the urban influence of Sligo town where housing is restricted to persons who can demonstrate rural-generated housing need and 'where such persons can demonstrate that the home they propose is in the interest of the proper planning and sustainable development of the area' in accordance with policy P-RAUI-HOU-1 of the Sligo County Development Plan 2017-2023, and to National Policy Objective 19 of the National Planning Framework issued by the Department of Housing, Planning and Local Government in February, 2018 which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, the Board is not satisfied that the applicant has sufficiently demonstrated that they have a rural-generated housing need. As a result, the Board considers that the proposed development would contribute to the further encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The applicant has not demonstrated that the site is suitable to accommodate a dwelling served by an onsite wastewater treatment system in accordance with the Environmental Protection Agency Code of Practice (2009) through the submission of a completed site characterisation assessment, contrary to the provisions of the Sligo County Development Plan 2017-2023, including section 9.3.2 Wastewater management in rural areas and policy P-WW-5. The Board is not, therefore, satisfied that the proposed development would not pose a risk to public health and/or to the environment through contamination of groundwater.

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

Dated this day of 2019.