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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20181301**

**APPEAL** by Alan and Karen Toner of Ballyadam, Kilmuckridge, Gorey, County Wexford against the decision made on the 16<sup>th</sup> day of January, 2019 by Wexford County Council to grant subject to conditions a permission to Lynne Meyler care of Joe Fallon Design Architecture of 1A Ryland Street, Bunclody, County Wexford.

**Proposed Development:** Permission for development consisting of the construction of a new two-storey dwellinghouse, garage, form new entrance, wastewater treatment system with percolation area and all associated site works, all at Ballyadam, Killincooly, Kilmuckridge, 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. Having regard to the pattern of development in the immediate vicinity and the location of the proposed site in a rural area under strong urban pressure, which is characterised by a significant number of individual houses, it is considered that the proposed development would contribute to the encroachment of random rural development in the area, would encourage and exacerbate the developing pattern of ribbon development contrary to the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, would lead to a proliferation of individual wastewater treatment systems in the immediate 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, represent haphazard and unplanned residential development in a rural area under pressure for urban development and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development would exacerbate an excessive concentration of development dependent on on-site disposal of foul effluent in an area that is identified by the Environmental Protection Agency as being at high risk from domestic wastewater pollution. The proposed development, taken in conjunction with the level of existing development in the vicinity, would, therefore, result in a risk of pollution and would be prejudicial to public health.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that, notwithstanding compliance with local need criteria was demonstrated, the construction of an additional dwellinghouse on this road given the existing density and limited capacity to absorb further development, would not be acceptable and furthermore, the Board is not satisfied that the proposed intensification would not pose a risk to public health, given that the area is designated by the Environmental Protection Agency as being a zone of high risk from domestic wastewater pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2019.**