



Planning and Development Acts 2000 to 2019

Planning Authority: Louth County Council

Planning Register Reference Number: 191060

Appeal by Barry Connolly care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 7th day of February, 2020 by Louth County Council to refuse outline permission to the said Barry Connolly for the proposed development:

Proposed Development: Outline permission for a dwellinghouse, waste water treatment system and associated site development works, all at Newtownbabe, Dundalk, County Louth.

Decision

REFUSE outline 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. The proposed development being on elevated ground to the rear of existing residential properties would constitute a random and incongruous back land development which would militate against the preservation of the rural environment. To permit the development would set an undesirable precedent for similar inappropriate development, would give rise to an excessive density of development in the area which is served by a poor road network, would be contrary to the green belt zoning objectives pertaining to the site as set out in the current Development Plan for the area and the proper planning and sustainable development of the area.

2. The applicant has failed to demonstrate to the satisfaction of the Board that the proposed waste water treatment system will cater for waste water on site in accordance with "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009" in terms of required separation distances to existing wells and percolation areas. It is considered that the proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Stephen Bohan

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

Dated this day of 2020.