



Planning and Development Acts 2000 to 2020

Planning Authority: Louth County Council

Planning Register Reference Number: 20/611

APPEAL by William and Deirdre Elvin of Rampark, Jenkinstown, Dundalk, County Louth and by Philomena O'Connor of Rampark, Jenkinstown, Dundalk, County Louth against the decision made on the 5th day of February, 2021 by Louth County Council to grant subject to conditions a permission to Beacon Parks Developments Limited care of ECC Design and Engineering Limited of Jenkinstown Business Park, Jenkinstown, Dundalk, County Louth.

Proposed Development: Construction of eight number detached dwelling houses and wastewater treatment systems all of which were partially constructed as part of planning permission granted under planning register reference number 06/881 and including all associated site development works at Rampark, Jenkinstown, Dundalk, County Louth. Further public notices were received by the planning authority on the 7th day of December, 2020.

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

Having regard to the location of the proposed development within a Level 4 settlement under the Louth County Development Plan 2015-2021, and to the proposal for the dwellings to be served by individual wastewater treatment systems, the Board was not satisfied that the proposed development would not give rise to a proliferation of waste water treatment systems in the area and considered that the proposed development would pose an unacceptable risk of environmental pollution and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, and notwithstanding the location of the proposed development within a Level 4 settlement and the planning gain arising from the completion of an unfinished estate, the Board was not satisfied that the proliferation of waste water treatment systems serving existing dwellings in the area in conjunction with eight proposed dwellings on restricted plot sites, would not give risk to an unacceptable risk of environmental pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

DR. Maria FitzGerald

María FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 26th day of October 2021