



Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/1016

APPEAL by Declan and Gemma Hallahan care of James Mansfield of 20 Meadowlands, Abbeyside, Dungarvan, County Waterford against the decision made on the 21st day of December, 2021 by Waterford City and County Council to refuse retention permission for the development.

Proposed Development: Indefinite retention of the septic tank system, including the distribution chamber and percolation area to service the existing holiday chalet on site at Ardoginna, Ardmore, County Waterford.

Decision

REFUSE permission for the above development in accordance with the reasons and considerations set out below.

EPK

Reasons and Considerations

1. Having regard to the planning history of the site, including the previous planning authority and An Bord Pleanála decisions to refuse permission for the replacement of a chalet type dwelling with a new log cabin dwelling, it is considered that this proposal for the indefinite retention of the existing septic tank system, distribution chamber and percolation area to serve the existing unauthorised chalet on site, would facilitate the consolidation and intensification of this unauthorised development. The proposed retention development would set an undesirable precedent and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The development proposed to be retained is located within an area where there is already a high concentration of dwellings served by septic tanks and private wells. It is considered, on the basis of the submitted documentation, and in particular in the context of the fact that the area is located over a locally important aquifer of high vulnerability, that the applicants have not demonstrated that the site is suitable to cater for the safe treatment and disposal of effluent from the existing unauthorised chalet on site and, in the absence of any plans for the provision of public water or sewerage facilities to serve the area, the development proposed to be retained would facilitate an excessive concentration of development served by individual wastewater treatment systems and would, therefore, be prejudicial to public health.



Eamonn Patrick Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *1st* day of *June* 2023