



Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 22/533

APPEAL by Sheelin and McCabe Planning Services Limited of Mountrugent, County Cavan against the decision made on the 24th day of May, 2023 by Cavan County Council to grant subject to conditions a permission to Vogue Homes care of Wynne Gormley Gilsenan Architects and Surveyors Limited of 21 Church View, Cavan, County Cavan.

Proposed Development: To erect fully serviced residential development consisting of 17 number residential units as follows: (a) one number three storey duplex block containing three number one bed and three number two bed units; (b) one number three storey duplex block containing four number one bed and four number two bed units and (c) one number block containing three number two bed own door apartments, entrance, car parking, bin store, bicycle storage, connection to foul and surface water sewer and all associated works at Farnham Road, Drumnavanagh, Cavan. Further public notices were received by the planning authority on the 27th day of April, 2023.

Decision

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

Reasons and Considerations

On the basis of the information available, the Board considers the proposed development to be premature. The proposed development requires the removal of a septic tank and percolation area that serves an adjoining property not within the applicant's site area and proposes providing a connection for that property into a proposed network that is not in public ownership, this raises serious public health concerns and the proposed development, would, therefore, be premature.

The Board concurred with the Inspector's recommendation to refuse permission. The Board did not concur with the Inspector's reasoning that the development would be out of character with existing development to an extent that justified its refusal. Having regard to the location of the site at the outskirts of Cavan town, the varying design and layout of properties in the area and the planning history of the site, the Board concurred with the planning authority that the design and layout is acceptable.

However, the Board considered the proposal for removal of the existing septic tank on site serving an existing property is a public health issue and therefore raises concerns regarding the proposed solution that should be satisfactorily addressed in the application.



Mary Henchy

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

Dated this *16th* day of *April* 2024.

