



An
Bord
Pleanála

Board Order
ABP-317907-23

Planning and Development Acts 2000 to 2022

Planning Authority: Meath County Council

Planning Register Reference Number: 23/603

APPEAL by Rose Murray care of BPS Planning and Development Consultants of Ballinatone, Greenan, County Wicklow against the decision made on the 2nd day of August, 2023 by Meath County Council to refuse permission for the proposed development.

Proposed Development: Permission for the demolition of the existing carport and attached domestic garage with living area over, on the east gable of the dwelling and retention of the remaining two-storey dwellinghouse, proprietary wastewater treatment system and percolation area, site entrance onto cul-de-sac laneway and all associated site works at Faughanhill, Bohermeen, Navan, County Meath.

Decision

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

Reasons and Considerations

1. Taken in conjunction with existing development in the vicinity, it is considered that the proposed development and the development proposed to be retained would contribute to the excessive density of development and overdevelopment of a rural area, contrary to the provisions of Section 9.5 (Rural Development Strategy) of the Meath County Development Plan 2021-2027. The subject development would contravene Policy RD POL 8 and Objectives RUR DEV SO 5 and RD OBJ 1 of the development plan, which seek to direct rural generated residential development to serviced centres (which policy is considered to be reasonable), and the principles of development set out in the plan, which seek to prevent the encroachment of random rural development that militates against the preservation of the rural environment. The proposed development and the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Notwithstanding the proposed alterations, it is considered that the part one and part two storey dwelling which is proposed to be retained is out of character in this rural area by reason of its scale, massing, and design. The incongruous design of the dwelling fails to align with Policy RD POL 9 of the Meath County Development Plan 2021-2027 which requires all applications for rural houses to comply with the 'Meath Rural House Design Guide' and would establish an undesirable precedent for further development of this kind. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board is not satisfied that it has been demonstrated that the wastewater treatment system that would serve the dwelling that is proposed to be retained accords with the minimum requirements of the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent ≤ 10) (2021), noting that section 5 of the submitted Site Characterisation report sets out the need for a soil polishing filter and details the specific design requirements for the soil polishing filter as part of the overall treatment system. Furthermore, Section 6 of the report specifies the option for a pumped discharge to the polishing filter, however, no design details or proposals have been presented for a pumped discharge to a polishing filter with the accompanying drawings that describe the subject development proposed to be retained. Therefore the Board is not satisfied that the effluent generated from the dwellinghouse would be safely disposed of on-site and that the subject development proposed to be retained would not be contrary to Policy RD POL 48 of the Meath County Development Plan 2021-2027 that requires all septic tank/proprietary treatment plants and polishing filter/percolation areas to satisfy the criteria set out in the Environmental Protection Agency 'Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)' (2021) (or any other updated code of practice guidelines) in order to safeguard individual and group water schemes. Accordingly, the subject development proposed to be retained would be prejudicial to public health.


Joe Boland

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 13th day of

July

2024.