

Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 2360076

APPEAL by Yuri Mushinski care of The Planning Partnership of The Bank Building, 52 Oliver Plunkett Street, Mullingar, County Westmeath against the decision made on the 24th day of August, 2023 by Cavan County Council to refuse permission.

Proposed Development: Holidaying and recreational use of the lands, as allows, for camping and caravanning on a site area of circa 2.55 hectares. The proposed development comprises the occasional and periodic use of the lands for camping, caravanning, holidaying and recreational breaks and to place no more than two caravans and two number tents at any one time during a calendar year and to allow for periodic and intermittent stays for recreational purposes and to be utilised no more than 120 number days per calendar year. The principal use of the lands being maintained and continued for agricultural purposes for the growing of fruit and vegetables for consumption and use by the landowner and family members
Drumard, Lough Oughter, Cavan

Decision

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

Reasons and Considerations

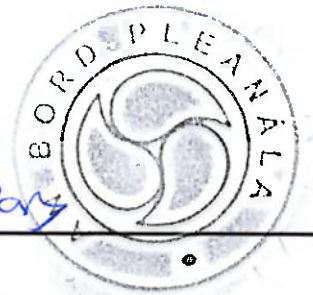
1. On the basis of the information set out in the planning application and appeal, the Board was satisfied that the principle of the development as a tourism offering is generally supported by policy. However, the Board was not satisfied that the applicant has proposed satisfactory wastewater proposals or demonstrated that the proposed development would not negatively impact on the amenity value and water quality of the adjoining lake accordingly. As the proposed development could pose an unacceptable risk of environmental pollution and public health, and this matter has not been satisfactorily addressed, such a remaining risk would be contrary to Development Objectives ML&LE (which seeks to maintain major lake and lake environment amenity value within a landscape recreational and ecological context by restricting and regulating development that would prejudice use and enjoyment of the areas, give rise to adverse visual impacts or threaten habitats through disposal of effluents), TV 02 (relating to tourist infrastructure and accommodation) and T 06 (which seeks to protect and conserve the natural, built and cultural heritage features which add value to the visitor experience in Cavan) of the Cavan County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The appeal site is located within a proposed Natural Heritage Area (Lough Oughter and Associated Loughs) and lies partially within and directly adjacent to the Lough Oughter and Associated Loughs Special Area of Conservation (Site Code 000007) and the Lough Oughter Complex Special Protection Area (Site code 004049). On the basis of the information provided with the planning application and appeal and noting the absence of sufficient details on the nature and scale of the proposal, including wastewater treatment and disposal proposals to cater for the development, the Board is not satisfied that it has been demonstrated that the proposed development individually, or in combination with other

plans or projects would not adversely affect the integrity of the Lough Oughter and Associated Loughs Special Area of Conservation (Site Code 000007) and the Lough Oughter Complex Special Protection Area (Site Code 004049), in view of the sites' Conservation Objectives and an Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is therefore required.



Patricia Calleary

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



Dated this 29 day of August 2024.