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**Planning and Development Act 2000, as amended**

**Planning Authority: Cavan County Council**

**Planning Register Reference Number: 2560029**

**APPEAL** by Ann Nelson care of Smith Associates of Fairview House, Deanery Street, Belturbet, County Cavan against the decision made on the 1<sup>st</sup> day of April 2025, by Cavan County Council to refuse permission for the proposed development.

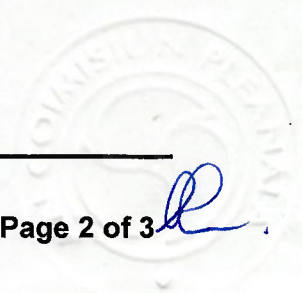
**Proposed Development:** Retention permission for a two-bedroom log dwelling, covered outdoor space and utility, septic tank and percolation, new entrance and associated site development works all at Grellagh, Carrickaboy, County Cavan.

## **Decision**

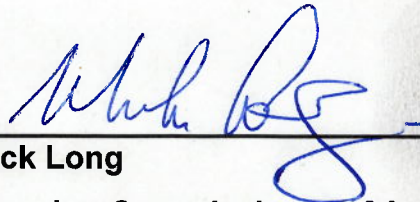
**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

1. Having regard to the location of the site in a rural area, within an area under 'Strong Urban Influence' as identified in the Cavan County Development Plan 2022-2028 and having regard to the stated provisions of Objectives RH07, SUI 01 and SUI 02 of the said development plan relating to rural housing in such areas where consideration of new housing is restricted to persons demonstrating local need and/or persons with a social/economic tie to the area, which is considered to be reasonable, it is considered that the applicant has not demonstrated that they come within the scope of the housing need criteria, as set out in the development plan for a house at this location, as they have not provided appropriate documentary evidence demonstrating compliance with the requirements of said plan. The proposed development would, therefore, be contrary to the stated provisions of section 12.13.2 – Rural Housing of the Cavan County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.



2. The development includes the retention of a septic tank and percolation area that do not meet the required separation distance to an existing well as required under Table 6.2 of the 'EPA Code of Practice: Domestic Wastewater Treatment Systems'. A separation of only 12 metres from the treatment system and 20 metres from the percolation area to the well is indicated when the minimum requirement is for 25 metres. The retention of the development would be prejudicial to public health and would, therefore be contrary to the proper planning and sustainable development of the area.



**Mick Long**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 1<sup>st</sup> day of September 2025.

