



An
Bord
Pleanála

Board Order 18.RL.3532

Planning and Development Acts 2000 to 2017

Planning Authority: Monaghan County Council

WHEREAS a question has arisen as to whether the installation of a septic tank and percolation area at Drumquill, Castleblaney, County Monaghan is or is not development or is or is not exempted development:

AND WHEREAS Martin Molloy of Drumquill, Castleblaney, County Monaghan requested a declaration on the question from Monaghan County Council and no declaration issued by the planning authority:

AND WHEREAS Martin Molloy of Drumquill, Castleblaney, County Monaghan referred the question for decision to An Bord Pleanála on the 6th day of January, 2017:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (d) the planning history of the site:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the installation of a septic tank and percolation area on, in or under the land involves the carrying out of works, as defined under section 3(1) of the Planning and Development Act, 2000, as amended, and is, therefore, development,
- (b) the development that has taken place does not come within the scope of section 4(1) of the Planning and Development Act 2000, as amended,
- (c) the development that has taken place does not come within the scope of any Class of development listed in Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and

