



An
Bord
Pleanála

**Board Direction
PL88.247591**

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 24th 2017.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. On the basis of the information provided with the application and appeal, the Board cannot be satisfied that there is spare capacity in the existing wastewater treatment plant serving the village of Kilcrohane which can safely accommodate the effluent arising from the proposed development, particularly having regard to the lack of information regarding the design capacity of the existing treatment plant or the date and details of any planned upgrade to this plant. Accordingly, it cannot be proven that the proposed development would not result in a significant breach of the combined approach as required under Section 43 (1) of S.I. No. 684/2007 – Waste Water Discharge (Authorisation) Regulations 2007.

Furthermore, it is an objective of the planning authority, as set out in the Bantry Electoral Area Local Area Plan 2011, (2nd Edition January 2015), DB-01(d) that 'any new dwellings with individual waste water treatment must make provision for connection to the public system in the future and have a sustainable properly maintained private water system. Such proposals will be assessed in line with the appropriate EPA code of practice and will have regard to any cumulative impacts on water quality.' The proposed development would, therefore, represent a

disorderly form of development that would materially contravene an objective indicated in the Local Area Plan, would be premature pending the design and provision of necessary upgrade works to the wastewater treatment plant serving the village of Kilcrohane. and would be contrary to the proper planning and sustainable development of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the Farranamanagh Lough Special Area of Conservation (site code 002189), or any other European site, in view of the sites' conservation objectives. In such circumstances the Board is precluded from granting approval/permission.

3. The proposed development envisages taking vehicular access onto a minor road which is seriously substandard in terms of width and alignment, with no provision for pedestrians, and at a location where there are inadequate sightlines. The proposed development would, therefore, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 24th March 2017

Philip Jones