

An
Bord
Pleanála

Board Direction
BD-010512-22
ABP-309888-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/04/2022.

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

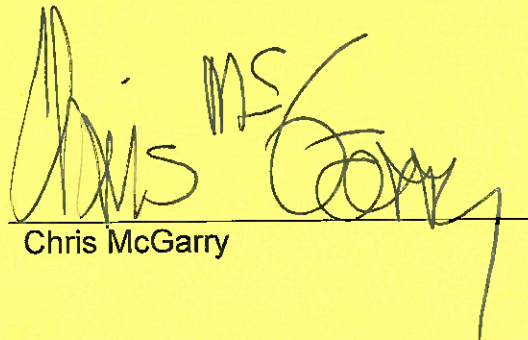
Reasons and Considerations

1. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not result in adverse effects on the integrity of Cork Harbour Special Protection Area (Site Code: 004030), in view of the site's Conservation Objectives, having regard to potential effects from surface water runoff during construction phase and potential effects from effluent related discharge during operation phase. In such circumstances the Board is precluded from granting approval/permission.
2. Having regard to the steeply sloping topography of the site, with a site gradient in the order of 1:4 - 1:5, to the characteristics of the subject site and on the basis of the information submitted with the planning application and the appeal including the contents of the Site Assessment report which indicate a high level of permeability, the Board is not satisfied that the site is capable of treating foul effluent arising from the dwelling in accordance with the standards set out in the Code of Practice for Wastewater Treatment and Disposal Systems serving

Single Houses (Environmental Protection Agency 2009), or that the proposed development would not give rise to pollution from effluent related discharge. In this regard, the proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: the Board noted the likelihood of a proliferation of individual wastewater treatment systems in the immediate vicinity of the subject site and considered that a more detailed assessment of the implications of these systems cumulatively with the proposed development, would be warranted ordinarily to enable a determination of the proposed development. However, given the substantive reasons set out above and as this would constitute a new issue, it was decided not to pursue this matter further under the current appeal.

Board Member



Chris McGarry

Date: 13/04/2022