

An
Bord
Pleanála

Board Direction
BD-010543-22
ABP-311997-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/04/2022.

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

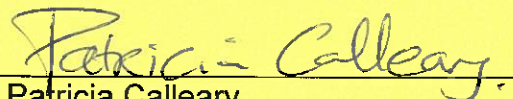
Reasons and Considerations

1. It is considered that the proposed development would be premature by reference to the existing capacity deficiencies in the Kenmare wastewater treatment plant to which connection is proposed and the period within which this constraint may reasonably be expected to cease. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information provided with the application and the appeal and particularly having regard to the absence of an examination of the likely significant effects the proposed development would have on the conservation objectives of the Kenmare River Special Area of Conservation (site code 002158) in relation to the proposed connection to the Kenmare Wastewater Treatment Plant which is deficient in capacity and which discharge from the plant flows into the Finnihy River and has a hydrological connection to Kenmare River Special Area of Conservation (site code 002158), the Board cannot be satisfied that the proposed development individually, or in combination with other plans and projects would not result in adverse effects

on the integrity of Kenmare River Special Area of Conservation (site code 002158) in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from considering a grant of permission for the proposed development.

Note: The Board noted the Design Options (Options 1 and 2) submitted to the Board at the appeal stage. The Board considered that any future application should address overlooking onto the adjoining established property to the east of the appeal site while also ensuring adequate private useable open space is provided for each of the properties proposed on the appeal site.

Board Member


Patricia Calleary

Date: 21/04/2022