

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/02/2025.

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

Reasons and Considerations

1. The proposed development is deemed to be premature pending the upgrading of the Killumney Wastewater Treatment Plant. The Board notes that the treatment plant is managed by Uisce Éireann and is currently at capacity and whilst there are plans for the upgrade of this plant, there is no confirmed timeframe for the delivery of this project. In the absence of this upgrade, the proposed development would be prejudicial to public health.
2. The Board considered that the proposal, as indicated in the first party appeal, to facilitate the development by way of a temporary wastewater treatment plant and pumping station which would pump treated wastewater into the public foul sewer and discharge the wastewater directly to the Bride River. The Board considered that this would be problematic in a number of respects. Firstly, it would set an undesirable precedent in permitting individual discharges associated with new developments to discharge directly into the River Bride or other watercourses in the vicinity, without the benefit of Municipal Treatment at the Killumney Wastewater Treatment Plant. The cumulative impact arising from a multiplicity of discharges, bypassing the Wastewater Treatment Plant would prove difficult to assess and monitor and therefore could result


in significant water pollution which could undermine the objectives of the Water Framework Directive. Secondly, the information contained in the appeal, suggests that treated wastewater from the proposed development would be pumped to the public foul sewer main along the public road, and rather than discharging to the wastewater treatment plant, the public sewer main would be diverted to discharge directly to the River Bride. The Board is cognisant of the fact that the existing public sewer carries untreated sewage from other developments to the east of the wastewater treatment plant. This untreated sewage, according to the information submitted with the appeal, would be diverted away from the wastewater treatment plant and would discharge raw sewage directly into the River Bride and would therefore give rise to significant water pollution. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3. The Board has concerns in relation to the long-term maintenance and management agreements of the proposed temporary on-site waste water treatment system in the absence of a confirmed timeframe for the upgrading of the Killumney Wastewater Treatment Plant. The proposal to incorporate a maintenance agreement which would entrust the responsibility for future maintenance of the treatment plant into the hands of the future occupants of the proposed development is unacceptable and could pose a significant risk to the long term operation and maintenance of the infrastructure which in turn could pose a risk to public health and the environment, and would be contrary to the proper planning and sustainable development of the area.

Note: The Board noted the inspectors 4th reason for refusal which expressed concerns that the Stage 1 Appropriate Assessment Screening Report could not definitely conclude that the proposed development would not have a significant impact on the Conservation Objectives of European Sites downstream of the proposed discharge point into the Bride River (namely the Cork Harbour SPA Site Code: 004030 and the Great Island Channel SAC, Site Code; 001058). However the Board had regard to the waste assimilative capacity calculations contained in the Water Framework Directive Compliance Assessment Report submitted with the documentation on file and the Board was satisfied that any treated discharge from the proposed development could comply with the Emission Limit Values set out in the European Community (Environmental Objectives) Surface Water Regulations 2009

272 of 2009), and that there was sufficient assimilative capacity in the receiving waters of the Bride River and the River Lee so that adequate dilution and dispersion takes place and therefore would not pose a threat to the Conservation Objectives to the European Sites in question.

Board Member


Paul Caprani

Date: 14/02/2025