

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 16/05218

An Bord Pleanála Reference Number: PL 04.247025

APPEAL by William Fahy care of P.J. Jordan and Associates, "Whitehall", Cork Road, Midleton, County Cork against the decision made on the 13th day of July, 2016 by Cork County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a domestic sewage treatment unit and sand filter bed at Ballybraher, Ballycotton, County Cork.

DECISION

Grant permission for the above proposed development in accordance with the plans and particulars lodged with the said council, and based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the existing pattern of development at this location including the existing habitable dwelling on site which will be served by the proposed domestic sewage treatment unit, to the limited scale of this dwelling and to the ground conditions, site characterisation and design approach proposed it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for an adequate and acceptable means of effluent treatment and disposal, would not be prejudicial to public health and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that ground conditions, site characterisation and design approach proposed were such that a pragmatic approach in respect of the provision of a domestic sewage treatment unit to serve an existing habitable dwelling was warranted in this instance.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed effluent treatment unit shall be installed and operated to comply with the requirements of the document entitled “Code of Practice – Waste Water Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10) – Environmental Protection Agency, 2009 insofar as is possible within the confined area of this restricted site. Written certification of the installation shall be provided by a suitable qualified Chartered Engineer, and shall be submitted to and agreed in writing with the planning authority within three months of the date of this Order.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.