

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kerry County

Planning Register Reference Number: 16/247

An Bord Pleanála Reference Number: PL 08.247054

APPEAL by Barth O'Neill care of Joe Bonner of 127 Lower Baggot Street, Dublin against the decision made on the 14th day of July, 2016 by Kerry County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of 33 number residential units on site numbers 86-118, consisting of one number detached dwelling house, 28 number semi-detached dwelling houses and four number terraced houses, together with all associated site development works and services at Pairc Chuimin, Clashnagarrane, Kilcummin, Killarney, County Kerry. This planning application is an amendment of the previous planning application granted by An Bord Pleanála under reference number PL 08.229829 and subsequently amended by planning application reference numbers 09/297 and 09/511.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations 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

The Kilcummin Sewerage Scheme is identified in the Kerry County Development Plan 2015-2021, Table 7.2 as a Priority Water and Waste Infrastructure Project. There is no timeline for the delivery of the sewerage scheme for Kilcummin and there are deficiencies in the existing wastewater treatment system. It is considered that the proposed development would be premature by reference to the existing deficiency in the provision of sewerage facilities servicing the area of the proposed development and the period within which the constraints involved may reasonably be expected to cease. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.