



An  
Bord  
Pleanála

**Board Order  
PL 08.247813**

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## **Planning and Development Acts 2000 to 2016**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 16/1005**

**Appeal** by Tom and Anne McDonnell care of Teicniúil Priory of Courtyard House, Fairhill, Killarney, County Kerry against the decision made on the 6<sup>th</sup> day of December, 2016 by Kerry County Council to refuse permission.

**Proposed Development:** Installation of a community mechanical aeration system and modular polishing filter units for a contained on-site effluent treatment system which includes the increase of ground level by two metres above existing ground level and a perimeter security fence around the aforementioned system to provide for, and service, 67 number proposed dwellinghouses and services as previously granted under planning register reference number 08/277 at Ballynamaunagh, Kilcummin, Killarney, County Kerry.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with 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**

1. On the basis of the information submitted with the planning application and the appeal, the Board is not satisfied that the subject site is suitable for the safe disposal of foul effluent arising from the permitted housing scheme for which the treatment plant is intended to serve. Accordingly, it is considered that the proposed development would be prejudicial to public health, would give rise to a serious risk of water pollution and would be contrary to the proper planning and sustainable development of the area.
  
2. On the basis of the information submitted with the planning application and the appeal, and in the absence of a Natura Impact Statement and Stage 2 Appropriate Assessment, the Board is not satisfied that the proposed development either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment Special Area of Conservation (Site Code 000365), in view of the site's conservation objectives.

