

Board Order PL 04.248373

Planning and Development Acts 2000 to 2017 Planning Authority: Cork County Council Planning Register Reference Number: 16/00672

Appeal by CPFM Limited care of Brock McClure Planning and Development Consultants of 63 York Rod, Dun Laoghaire, County Dublin against the decision made on the 28th day of March, 2017 by Cork County Council to grant subject to conditions a permission to Raymond Hennessy care of Daly, Barry and Associates of Glengarriff Road, Bantry, County Cork.

Proposed Development: Retention of dwellinghouse with permanent use and revised site boundaries which relates to amendment to condition number 4 of permission granted under planning register reference number W/00/1050, which refers to caretaker's use, all at Ballylickey, Bantry, County Cork.

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

The development for which retention is sought is located in a village which does not have a public wastewater treatment plant. The development is currently served by a wastewater treatment system located off-site, which has not been demonstrated to be available to the applicant, and, therefore, does not have access to a suitable private wastewater treatment system over which it has sufficient rights to operate, maintain and take corrective action as necessary. The development cannot provide an on-site wastewater treatment system to comply with the "Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. The development for which retention is sought 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 2017