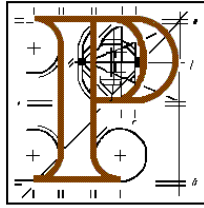


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Kerry County Council

Planning Register Reference Number: 17/478

An Bord Pleanála Reference Number: ABP-300122-17

Appeal by Jim and Mary O'Connor care of Andrew Hersey Planning of Claremount, Clarecastle, County Clare against the decision made on the 10th day of October, 2017 by Kerry County Council to grant subject to conditions a permission to Pdraig and Olivia Fitzmaurice care of David Moriarty and Associates of 28 Liosdara, Oakpark, Tralee, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a single storey domestic dwelling house, installation of a mechanical treatment unit and sand polishing filter, site access road and all ancillary site works at Leitrim West, Moyvane, County Kerry.

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

Having regard to the poorly-drained ground conditions on site in evidence during the site inspection, the cumulative pressures on water resources resulting from the number of premises in the area served by septic tanks, the designation of this area as being 'at serious risk' under the Environmental Protection Agency domestic wastewater risk classification, and notwithstanding the information submitted in support of the application and appeal, the Board is not satisfied, based on the submissions on file, that the proposed development will not pose an unacceptable risk to water resources in the area, in particular surface water resources. The proposed development would, therefore, be prejudicial to public health and be 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 2018.