



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 17/6317

APPEAL by Meabh Ring and Noel Fitzgerald of The Marsh, Knocknacurra, Kinsale, County Cork against the decision made on the 17th day of May, 2018 by Cork County Council to grant subject to conditions a permission to Denis Keohane care of Anthony Hayes of 7 Pearse Street, Kinsale, County Cork.

Proposed Development: Construction of a dwellinghouse incorporating a domestic garage and associated site works at Knocknacurra, Kinsale, 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

1. The site of the proposed development is located within the settlement boundary of the environs of Kinsale in the Blarney Macroom Municipal Local Area Plan 2017. The Plan acknowledges that Kinsale wastewater treatment plant has adequate spare capacity to accommodate proposed development in Kinsale. Furthermore, the town of Kinsale is served by a mains water supply. The proposed development would be reliant upon a private wastewater treatment system and bored well supply. It is considered that the proposed development would be premature by reference to the existing deficiency in the provision of public piped water and sewerage facilities serving the area and the period within which the constraint involved may reasonably be expected to cease. Furthermore, it is considered that the proposed development, and the precedent it would set, would undermine the development order of Kinsale on available serviced lands. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the constrained nature of the site, the difficult topographical characteristics to accommodate a functioning on-site effluent treatment system, the lack of clarity on depth to bedrock on this site, the proximity of the proposed treatment system to bored wells serving adjoining residential property downgradient of the proposed system, and the proximity to the nearby River Bandon, it is considered that the proposed development would be prejudicial to public health, notwithstanding the proposal to provide a proprietary effluent treatment system.

Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.