



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/06662

APPEAL by Stillwater Investments Limited care of QDM Architecture of 19 South Mall, Cork against the decision made on the 29th day of November, 2018 by Cork County Council to refuse permission to the said Stillwater Investments Limited.

Proposed Development Construction of nine number five-bedroom split-level dwelling units, access road, waste water treatment plant and associated site works on a site of approximately two hectares at Owen Bawn Mor, Graigue West, Glenville, 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

As set out in Section 4.4.22 Waste Water Infrastructure of the Cobh Municipal District Local Area Plan 2017 (as amended), the municipal waste water treatment facility for Glenville is currently at capacity and in need of upgrade. In the absence of such capital investment, the proposed development involves treating the foul effluent for the dwellings in a multi-unit developer-provided waste water treatment facility. Future management and maintenance of such facilities generate concerns in the absence of the water authority's preparedness to take the facility in charge. The proposed development would, therefore, be premature pending the upgrade of the municipal waste water treatment facility for Glenville.

Appropriate Assessment

Objective DB-02, as set out in the current Local Area Plan, states that Glenville village is situated adjacent to the Blackwater River Special Area of Conservation. Development in this settlement will only be permitted where it is shown that it is compatible with the requirements of the Habitats Directive and the protection of this site. Having regard to the nature and scale of the proposed development comprising nine houses, and its distance to the nearest European site, the Blackwater River (Cork/Waterford) Special Area of Conservation (Site Code 02170) which is located circa 160 metres to the east of the appeal site, the Board considered and agreed with the Inspector's view and that of the Cork County Heritage Unit that, given the proximity of the site to the Special Area of Conservation and the partial overlap of the site with a flood risk area, there may be a possible risk of impact to the Special Area of Conservation.

Accordingly, it cannot be concluded that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site. It is recommended, therefore, that any future application at this location be accompanied by a Screening Report.

Terry Ó Niadh
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.