



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 19/04332

APPEAL by John Reilly of The Cottage, Whitepoint, Cobh, County Cork against the decision made on the 12th day of September, 2019 by Cork County Council to grant subject to conditions a permission to Peter Brennan and Caroline McCarthy care of Paul O'Neill Designs of "Saint Helens", Douglas Road, Cork.

Proposed Development: Construction of (a) 2.5 storey dwellinghouse, garden shed and covered passage, with associated site services, new entrance and road boundary wall and (b) new entrance to adjoining dwelling known as "The Moorings" all at "The Moorings", Whitepoint, Ringmeen, Cobh, 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

Having regard to the position of the proposed dwelling on the subject site, in close proximity to an existing wastewater treatment plant on a separate adjoining property not within the applicant's control, it is considered that the proposed development would be prejudicial to public health. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the commentary within the application and appeal documentation that the proposed dwelling itself would be served by public sewerage infrastructure, subsequent to the completion of the Lower Harbour Main Drainage Scheme. However, on the basis of the documentation submitted with the application and appeal, it has not been demonstrated that the existing wastewater treatment plant on the adjoining property and not within the applicant's control, will not continue in use. In this regard, the Board considered the potential continued presence of a wastewater treatment plant, in close proximity to the proposed dwelling, to be a material consideration in making a determination on this appeal.

Chris McGarry

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.