



Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 21/04324

APPEAL by Michael Junior O'Donoghue care of Alan Scuffins and Company Limited of Rahan, Mallow, County Cork against the decision made on the 7th day of April, 2021 by Cork County Council to refuse permission.

Proposed Development: Construction of a single storey dwelling and all associated site works at Knuttery Townland, Burnfort, 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.

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Reasons and Considerations

As set out under section 4.5 of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, the key to protecting water quality in the context of providing new dwellings in unsewered rural areas is to ensure that new development is guided toward sites where acceptable wastewater treatment and disposal facilities can be provided, avoiding sites where it is inherently difficult to provide and maintain. The provisions of section 4.6.5 of the Cork County Development Plan 2014 state that it is essential that, in making an application for rural dwelling houses, the original site selection process verifies in the first instance that the site is suitable for an on-site wastewater treatment system. The proposed development would be prejudicial to public health because it is considered that the subsoil, as indicated by tests, is unsuitable for the treatment of septic tank effluent, notwithstanding the use of a proprietary wastewater treatment system. It is considered that the proposed development would be contrary to the site selection guidance set out in the Sustainable Rural Housing Guidelines and the Cork County Development Plan and would, therefore, not be in accordance with the proper planning and sustainable development of the area.



Dave Walsh

Member of An Bord Pleanála

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

Dated this 3rd day of August 2021.