



Planning and Development Acts 2000 to 2021

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 21/295

APPEAL by Kevin Kirwan and Lorraine O'Grady care of Michael Reilly of "Radharc Na Coille", Mullinahone, County Tipperary against the decision made on the 3rd day of December, 2021 by Kilkenny County Council to refuse permission for the proposed development.

Proposed Development: Construction of a dwelling house with garage, entrance, effluent treatment system, polishing filter percolation area, and all associated site works and services at Curraghlane Upper, Skeaghvasteen, County Kilkenny.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

The public water mains in this area is at full capacity. The proposed dwelling is therefore to be served by an onsite bore well. Taking account of the absence of groundwater-quality information submitted with the planning application and the appeal, the Board is not satisfied that it has been adequately demonstrated that the on-site bore well and wastewater disposal system proposed would be suitable and would not pose a risk to public health as a result of the location of the site in an area of extreme vulnerability to a locally important aquifer together with the concentration of on-site waste water systems proximate to the appeal site. It is therefore considered that the proposed development would exacerbate the threat to groundwater quality which, in turn, would represent an unacceptable risk to public health and the environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Eamonn Patrick Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *14* day of *June* 2023

