



Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 21/06401

APPEAL by Benedict Neff care of RW Nowlan and Associates, Chartered Planning and Property Advisors of Number 37 Lower Baggot Street, Dublin against the decision made on the 27th day of January, 2022 by Cork County Council to grant subject to conditions a permission to Norma O'Sullivan care of Simply Architecture of 18A Washington Street, Cork City.

Proposed Development: The demolition of existing cottage and for the construction of a new detached two-storey replacement dwelling, installation of a domestic wastewater treatment system and polishing filter, new boundary walls including improved site entrance and all associated site works at Ballinluska, Myrtleville, County Cork.

Decision

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

Reasons and Considerations

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, and the area of the site is insufficient to accommodate the required separation distances, notwithstanding the proposed use of a proprietary wastewater treatment system.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to the submissions on the file, the uninhabitable state of the existing structure, the limited size of the subject site, where the subject site has failed the site suitability test, in an area of a locally important aquifer with extreme vulnerability and considered that the proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board



Dated this 21st day of October 2022