



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 21/1321

APPEAL by Caoimhe Lynch care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 4th day of August, 2022 by Kerry County Council to refuse permission.

Proposed Development: Construction of a single storey residential dwelling for use as permanent home, with detached garage, construction of an on-site sewage treatment system, driveway, landscaping and sight distance improvement works to include replacement of section of existing hedgerow along the R551 with timber stud and tension mesh fence and associated works at Doon East, Ballybunion, County Kerry. The proposed development was revised by further public notices received by the planning authority on the 8th day of July, 2022

Decision

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

Reasons and Considerations

Having regard to the conditions pertaining on site, Board is not satisfied, on the basis of the submissions made in connection with the application and appeal, that the proprietary effluent treatment system and raised polishing filter proposed to serve the proposed dwelling is adequate to treat effluent arising from the proposed development in a manner that would not give rise to the risk of pollution to surface water and/or ground water. The proposed development would, therefore, be prejudicial to public health.



Peter Mullan

Member of An Bord Pleanála

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

Dated this *26th* day of *November* 2023.