



Planning and Development Acts 2000 to 2022

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 21/866

APPEAL by Peter Purcell care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 10th day of October, 2022 by Kilkenny County Council to refuse permission.

Proposed Development: Erection of (a) a three-storey nursing home building, (b) with vehicular access from public road, (c) a single storey ancillary services building, (d) parking areas and service yards, (e) sewage treatment plant and percolation area, (f) private borehole well supply and all associated site development works and site boundary treatments at Garrandarragh, Mullinavat, County Kilkenny as revised by the further public notices received by the planning authority on the 7th 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

1. The proposed development would contravene section 10.1.6 and 10.1.7 of the Kilkenny City and County Development Plan 2021-2027, which states that development in all main settlements is required to connect to public wastewater treatment facilities subject to sufficient capacity being available, having regard to the current lack of capacity and plans for investment in Uisce Éireann wastewater infrastructure. The proposed development would, therefore, be contrary to the proper planning, environmental and sustainable development of the area.
2. The Board is not satisfied on the basis of the information submitted, in particular the Site Characterisation Report, that the site assessment has been carried out in accordance with the requirements of the EPA 2021, Code of Practice with specific regard to the percolation tests and therefore cannot be satisfied that the proposed development would not have any adverse impacts on groundwater quality. The proposed development would, therefore, be contrary to the proper planning, environmental and sustainable development of the area.



Mick Long

Member of An Bord Pleanála.

duly authorised to authenticate
the seal of the Board

Dated this 4th day of June 2024