

An
Bord
Pleanála

Board Order ABP-316173-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 22/5567

Appeal by Patrick Plunkett and Carol Heaslip of 18 Haven Hill, Summercove, Kinsale, County Cork and by Mary Forde of Janabiyah, Haven Hill, Kinsale, County Cork against the decision made on the 14th day of March, 2023 by Cork County Council to grant subject to conditions an outline permission to Alistair Robertson care of Richard Rainey Architects of 71 Lower O'Connell Street, Kinsale, County Cork.

Proposed Development: Construction of a dwelling, wastewater treatment plant, new vehicular entrance and all associated site works all at Haven Hill, Forthill and Bawnavota, Kinsale, County Cork, as revised by the further public notices received by the planning authority on the 17th day of February, 2023.


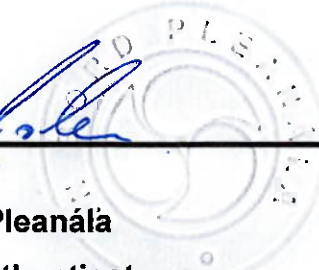
Decision

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

Reasons and Considerations

Having regard to the history of the site and the Cork County Development Plan 2022-2028, in particular to Policy Objective WM 11-9 (a) relating to Wastewater Disposal which “Require that development in all settlements connect to public wastewater treatment facilities’ and that ‘In settlements where no public wastewater system is either available or proposed, new developments will be unable to proceed until adequate wastewater infrastructure is provided.”, and to Table 11.3 of the development plan, which indicates that there is a strategic infrastructure deficit in Kinsale’s wastewater whereby “Planned development may require further infrastructure investment not provided for on any existing programme and/or EPA license compliance issues.”, it is considered that the proposed development would contravene this policy objective and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to Policy Objective WM 11-9 (a) and Table 11.3 of the Cork County Development Plan 2022-2028 and noted the planning history of the proposed development site, where outline permission was previously refused for a dwelling on the basis of a lack of services. The Board acknowledged the observations made by the planning authority's planner in his report favouring connection to the public sewer, and the consideration by the Inspector that a refusal of permission on the basis of non-compliance with Policy Objective WM 11-9 (a) of the development plan may be warranted. Therefore, on this basis and, notwithstanding that the proposed development is on an infill site in an established residential area in the Ring Town of Kinsale, which is designated for further growth in the Core Strategy of the development plan, the Board considered that the proposed development would contravene Policy Objective WM 11-9 (a) and that a refusal of outline permission was warranted.

Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 17 day of April 2024.