



An
Bord
Pleanála

Board Order

ABP- 316200-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 22/1057

Appeal by Catriona Donovan care of Brian Sweeney of Tralee Road, Ardfert, County Kerry against the decision made on the 30th day of March, 2023 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: Construct a dormer bungalow with attic development complete with a mechanical wastewater treatment unit followed by a Sandcel sand filter and soil polishing filter and all associated site works at Dromcunnig, Abbeydorney, County Kerry as revised by further public notices received by the planning authority on the 3rd day of March, 2023.

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 poor percolation qualities of the soil surface found on site; the direction of groundwater flow (to the north/north-east) towards the drain/watercourse alongside the eastern boundary of the site; mottling evident in the trial hole indicating a seasonal high-water table; and the low permeable subsoil, it is considered that the proposed development would pose a pollution risk to groundwater and surface water. The Board is not satisfied, that effluent from the development can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.



Mary Henchy

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**

Dated this *25th* day of *March* 2024