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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 2241547**

**APPEAL** by Michael Mc Partland on behalf of Inland Fisheries Ireland of Sunnyside House, Macroom, County Cork against the decision made on the 2<sup>nd</sup> day of June, 2023 by Cork City Council to grant, subject to conditions, a permission to Stillwater Investments Limited care of QDM Architecture, 19 South Mall, Cork in accordance with the plans and particulars lodged with the said Council.

**Proposed Development:** Permission for the following; (a) construction of five number dwelling houses, (B) proposed entrance from Sunset Place, (C) proposed pedestrian crossing at The Lawn/Sunset Place, (D) proposed bus stop and set-down area at current bus stop, (E) associated site works, (F) demolition of existing structures (previously used as a shop) all on a site of 0.12 hectares at Rathpeacon, Killeens, County Cork.

**Decision**

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

## Reasons and Considerations

1. It is considered the proposed development would be premature pending future capacity upgrades at the Killeens Wastewater Treatment Plant, and the period in which the constraint may reasonably be expected to cease. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information provided with the application and the appeal and, in particular, having regard to the absence of an examination of the likely significant effects arising from the proposed connection to the Killeens Wastewater Treatment Plant which is currently overloaded and which has a hydrological connection to Cork Harbour Special Protection Area (Site Code 004030), the Board could not be satisfied that the proposed development either individually, or in combination with other plans and projects approved in the local area, would not result in adverse effects on the integrity of the Cork Harbour Special Protection Area (Site Code 004030) in view of the site's conservation objectives. Therefore, in this particular instance, the Board is precluded from considering a grant of permission for the proposed development.

  
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**Joe Boland**

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

Dated this *1<sup>ST</sup>* day of *May* 2024.