



Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 22/275

APPEAL by Claire Smith of Dunaree Lane, Kingscourt, County Cavan and by Dun Na Carraige Residents care of Michael Donohoe of 23 Dun Na Carraige, Rocks Road, Kingscourt, County Cavan against the decision made on the 5th day of July, 2023 by Cavan County Council to grant subject to conditions a permission to Destrina Limited care of Downey Planning of 29 Merrion Square, Dublin.

Proposed Development: The proposed development will consist of the construction of 76 number dwellings, comprising of seven number three-storey four-bedroom detached dwellings; 18 number three-storey four-bedroom semi-detached dwellings; one number three-storey four-bedroom terraced dwelling; 20 number two-storey three-bedroom semi-detached dwellings, 19 number three-storey three-bedroom terraced dwellings and 11 number two-storey two-bedroom terraced dwellings; associated car parking; landscaping; boundary treatments; vehicular and pedestrian access connecting will be through existing residential development at Dún Na Carraige and pedestrian connections off Dunaree Lane; 22 number of the proposed dwellings will also have direct vehicular access onto Dunaree Lane to the north; proposed temporary on-site wastewater treatment plant with connections to existing mains sewerage, surface water and attenuation

infrastructural works; mains water supply and all associated site and infrastructure works necessary to facilitate the development on lands at Dún Na Carraige and Dunaree Lane, Kingscourt, County Cavan. (The site is generally bound by Dunaree Lane to the north, earlier phases of the Dún Na Carraige residential development to the south and Thorndale Close to the east). Further public notices were received by the planning authority on the 8th day of June, 2023.

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 seeks the installation of a temporary wastewater treatment system on-site to serve the proposed residential units which would connect to the existing Wastewater Treatment Plant in Kingscourt. The Kingscourt Wastewater Treatment Plant is managed by Uisce Éireann and currently at capacity. While there are plans for the upgrade of this plant, there is no confirmed timeframe for the delivery of the upgrade. The proposed development would, therefore, be prejudicial to public health.

2. On the basis of the information submitted in conjunction with the application, the Board is not satisfied that the applicant has obtained consent from Uisce Éireann to connect the proposed temporary wastewater treatment system to the public sewer network in accordance with Development Objective FDW 8 of the Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town 2022-2028. The Board has concern in relation to the long-term maintenance and management of the proposed temporary on-site system in the absence of a confirmed timeframe for the upgrade of the Kingscourt Wastewater Treatment Plant. The proposed development would, therefore, be premature pending the completion of the Kingscourt Wastewater Treatment System, would pose an unacceptable risk to public health and the environment and would be contrary to the proper planning and sustainable development of the area and would be prejudicial to public health.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 22nd day of July 2024.