



An
Bord
Pleanála

Board Order ABP-318421-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 23/5708

Appeal by Inland Fisheries Ireland of Sunnyside House, Macroom, County Cork against the decision made on the 17th day of October, 2023 by Cork County Council to grant subject to conditions a permission to Denis and Marian Murphy care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development: Construction of a two-storey detached dwellinghouse and all associated site works at site adjacent to (west of) 20 Valley View, Grange Manor, Ovens, County Cork

Decision

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

Reasons and Considerations

1. Having regard to:

- (a) the characteristics of the Bride River, one of the primary spawning and nursery systems of the Lee catchment salmon fishery,
- (b) the lack of assurances provided with respect to compliance with the parameters of the licence to discharge sewage effluent to waters W.P. (W) 02/11 (R), and
- (c) Article 5 of the European Communities Environmental Objectives (Surface Waters) Regulations 2009, as amended, which requires that a public body, in performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water,

the Board is not satisfied that adequate treatment capacity is available in the Grange Manor/Ruden Homes Ltd wastewater treatment plant in conjunction with treated effluent from other existing and permitted development. The proposed development would pose an unacceptable risk of environmental pollution, would create a precedent for further such development, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is to discharge to the Grange Manor Wastewater Treatment Plant (WWTP), with a primary discharge to River Bride, which flows into the River Lee and has a hydrological connection to the Cork Harbour Special Protection Area (Site Code: 004030). In the absence of information to demonstrate that the Grange Manor/Ruden Homes Ltd WWTP has adequate treatment capacity in conjunction with treated effluent from other existing and permitted development, it is considered that the Stage 1 Appropriate Assessment Screening Report cannot definitively conclude that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the Cork Harbour Special Protection Area (Site Code: 004030). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Liam Bergin

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

Dated this 25th day of October 2024.