



An
Bord
Pleanála

Board Order ABP-319776-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/60127

Appeal by Martin and Michael Flynn of Listowel Road, Ballybunion, County Kerry against the decision made on the 30th day of April, 2024 by Kerry County Council to refuse permission to Michael Martin care of Paul O'Dowd and Associates of Old Mill Lane, Charles Street, Listowel, County Kerry.

Proposed Development: Retention of an extension as constructed at Kilconly, Ballybunion, County Kerry.

Decision

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

Reasons and Considerations

Having regard to Objective KCDP 13-10 of the Kerry County Development Plan 2022-2028 which aims to ensure that all wastewater treatment systems for single houses are designed, constructed, installed and maintained in accordance with the manufacturers guidelines and the EPA Publication "Code of Practice – Wastewater Treatment and Disposal Systems Serving Single Houses" or any amending/replacement guidance or standards, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that it has been demonstrated that effluent from the development proposed to be retained can be satisfactorily treated and disposed of on site. The development proposed to be retained would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

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

Dated this 06 day of February 2025.