

An
Bord
Pleanála

Board Order
ABP-321749-25

Planning and Development Acts 2000 to 2022

Planning Authority: Limerick City and County Council

Planning Register Reference Number: 2461085

APPEAL by Martha Noonan care of Cian Lynch of Pro-Tend, An Bhanrach, Ennistymon, Ennis, County Clare against the decision made on the 23rd day of December 2024 by Limerick City and County Council to refuse permission.

Proposed Development: Planning Permission for the construction of a single storey residential dwelling and separate shed and the provision of a domestic wastewater treatment system and associated site services at Cloghadooarty North, Fedamore, Kilmallock, County Limerick.

Decision

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

Reasons and Considerations

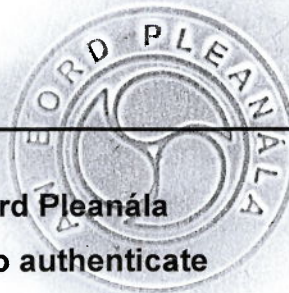
Having regard to the location of the proposed development on a site overlying a 'Regionally Important' aquifer that has a 'High' vulnerability classification, the Board is not satisfied, on the basis of the information on the file, that the applicant has clearly demonstrated that the ground conditions within the site are suitable for the safe and adequate disposal of effluent, that effluent arising from the proposed development can be satisfactorily treated and disposed of on the site in accordance with the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment Systems (PE <10) (EPA 2021), and that the impact of the proposed development would not give rise to a risk of groundwater pollution. It is considered that the proposed development would be at variance with Objective EH O16 (Septic Tanks and Proprietary Systems) of the Limerick Development Plan 2022-2028, would be prejudicial to public health and would, therefore, be 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 14 day of May 2025.