

**Comhairle Chontae Chill Chainnigh
Kilkenny County Council
Planning Report**



**Planning and Development Act 2000, as amended
Planning and Development Regulations 2001, as amended**

Planning Ref: P. 26/ 60389

Due Date: 14th August 2026

Applicant: Jake Acreman and Chloe Breen

Subject: Permission to construct a dormer style dwelling, new entrance with associated wing walls, appropriate waste water treatment system, bored well, single storey domestic garage, ground mounted PV solar panels, all ancillary site works and landscaping at Killeen, Kilmanagh, Co. Kilkenny.

Referrals

Environment – report dated 6th August 2026 recommends refusal.

Municipal District Engineer – report dated 29th July 2026 recommends conditions.

Site History

No recent on-site history.

Pre-planning

No pre-planning meeting noted on the application form, but noted during 2025 on letter submitted.

Third Party Submissions

None received to date.

Development Plan Policy

The site is located in an Area Under Urban Influence as per the Council's Rural Housing policy. Having regard to the documentation submitted it is considered that the applicant complies with the rural settlement strategy.

Site location and description

The site is located in the rural area of Killeen, to the west of Kilmanagh, Co. Kilkenny. Access to the site is via the local secondary road L-5021. The site is open to extensive views to the west. The gradient of the site slopes downhill from west to east and also from north to south, sloping downhill from the public road. There are existing field boundaries along the north and east site boundary, and the south and west site boundaries are open.



Proposed development

Permission sought 'to construct a dormer style dwelling, new entrance with associated wing walls, appropriate waste water treatment system, bored well, single storey domestic garage, ground mounted PV solar panels, all ancillary site works and landscaping'. The site has a stated area of 0.404ha. The dwelling would have a proposed stated area of 228sq.m, max. ridge height of 6.935m and garage with a proposed stated area of 47.5sq.m.





Proposed floor plans and elevations



Proposed section



Proposed section

Services

The following services are proposed as per the information submitted:

Water – proposed private well.

Surface water – proposed disposal to on-site soakpit. Notes on file state ‘Proposed overrun from soakpits into drainage ditch’; should the applicant be progressed the applicant would need to address proposals for all surface water run-off to be contained within the site boundaries, without discharge to adjoining drains including infiltration testing as appropriate.

Waste water – proposed on-site wastewater treatment system. The site characterisation form states the following information:

- a shallow slope between 1:5-1:20,
- mottling was noted within 05.m of ground level in the trial hole which had a stated depth of 2.5m,
- a sub-surface test value of 35.53 and surface-test value of 20.28 were recorded;
- proposed secondary wastewater treatment system and polishing filter / septic tank and percolation area.



Mottling noted in trial hole within 500mm of ground level during site inspection on 6th August 2026

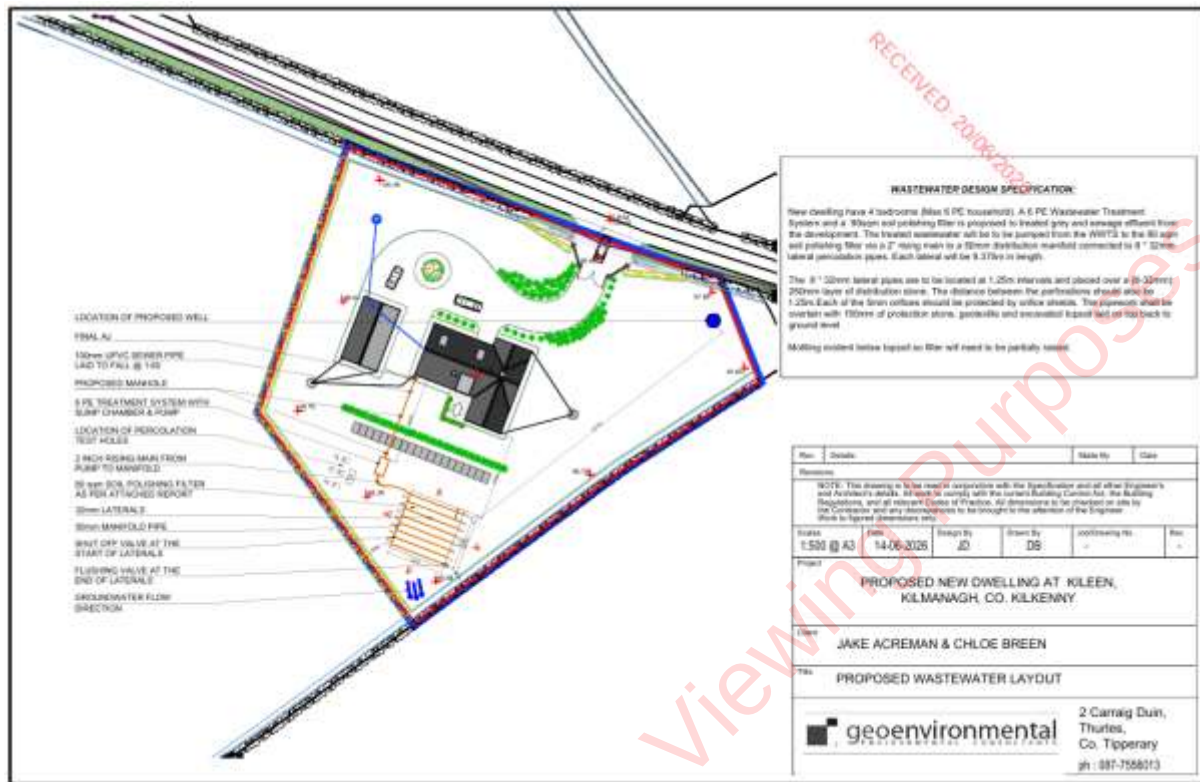
The report received from the Environment Section dated 6th August 2026 recommends refusal and states as follows:

1. A site visit was carried out on 06/08/2026 where the following was observed:
 - a. Mottling was noted within 500mm below ground level
 - b. Water was noted in the trial hole at 1.7m below ground level

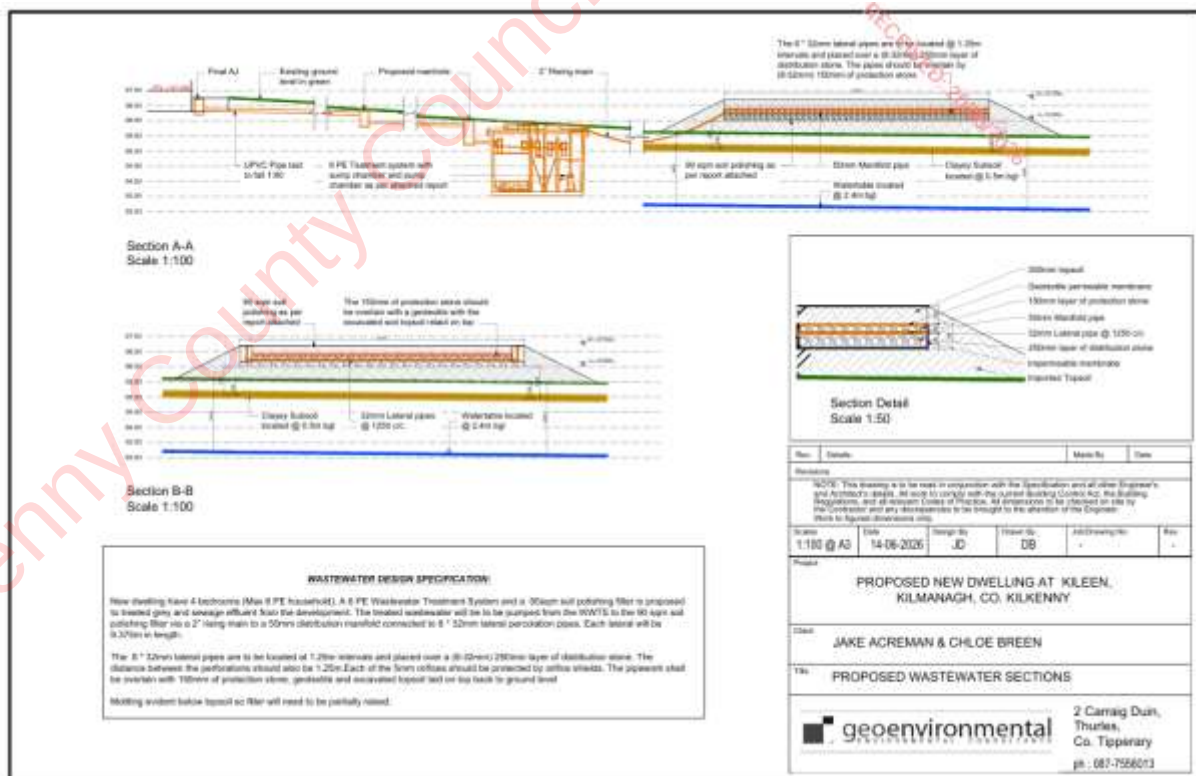
The applicant has not adequately demonstrated that the site is capable of the safe disposal of treated effluent without risk to public health. The proposed development is therefore considered to be contrary to proper planning, protection of the environment and the sustainable development of the area.

Having regard to all of the above, I recommend that this application be refused for the following reasons:

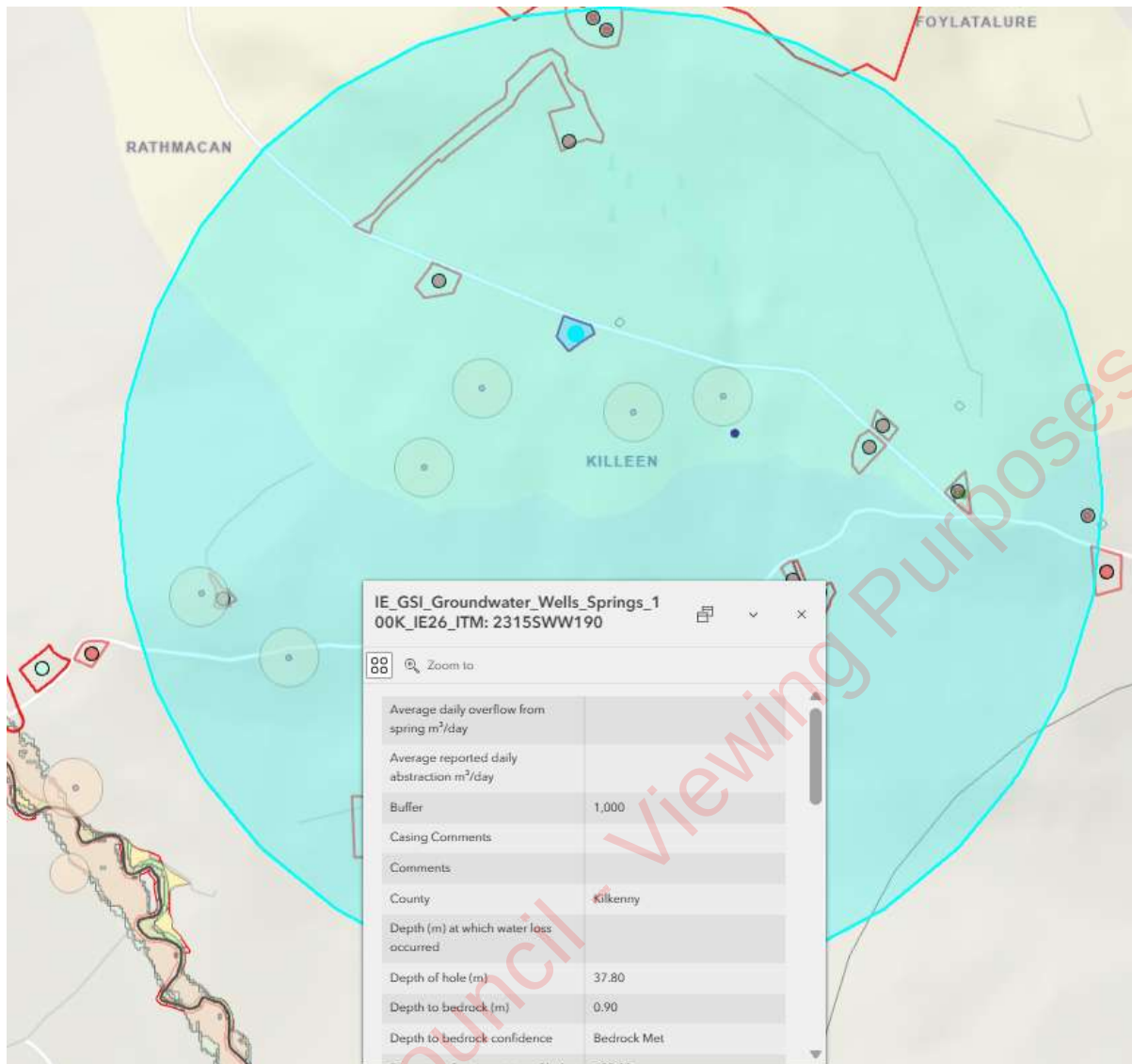
1. *There is not enough evidence to support that effluent resulting from the proposed development will not cause undue harm to human health or the environment.*



Proposed water and wastewater layout plan



Proposed wastewater treatment system section



Location of site within source protection area associated with groundwater well as per GSI database shown on KCC planning register

Access

The entrance to the site proposes access onto the local road. Sightlines of 90m have been proposed in both directions. The report received from the Municipal District Engineer dated 29th July 2026 recommends conditions and notes as follows:

- The proposed development is located on a private road off the Local Road L-5021.
- The speed limit on the road is 60kph.
- The public road is approx. 3.5m wide.
- The sightlines required for this road is 90m in both directions at a setback of 2.4m.
- The applicant has submitted a sightline drawing indicating sightlines of 90m from the entrance measuring to the nearside road edge in both directions
- The required sightlines are 90m to the nearside road edge at a 2.4m setback from the road edge.
- The current agricultural entrance acts as a roadside drainage inlet.

Landowner

The applicant is the intended purchaser of the site; a letter of consent to make the application has been submitted from the stated landowner (Pat Brennan) and a letter of consent to remove hedgerows to achieve sightlines.

Development Contribution

Development Contributions class 1 and 3 applies as per the current development contribution scheme.

EIA Conclusion

A preliminary examination of the nature, size and location of the proposed development has been carried out which determines that there is no real likelihood of significant effects on the environment arising from the proposed development. It is therefore concluded that an EIAR is not required.

Impact on Natura 2000 site

A Screening exercise was completed by the planning authority which determined that further information is required to determine if there is a hydrological connection between the site and the Munster River c.1.4km from the site which forms part of the River Barrow and River Nore SAC Natura 2000 site. OS maps show a watercourse along the north-east site boundary and the site layout plan submitted shows a drainage ditch along the north and east site boundary.

Conclusion

Having regard to the mottling noted within 500mm of ground level during site inspection on 6th August 2026, together with the documentation submitted and the report from the Environment section, it has not been demonstrated that the site is capable of accommodating an on-site wastewater treatment system.

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Recommendation

I recommend that permission be refused for the following reasons:

1. Having regard to mottling noted within 500mm below ground level in the trial hole on site during site inspection, and documentation and proposals submitted with the application, the applicant has failed to demonstrate that wastewater and surface water can be adequately catered for on site without risk to the environment and public health; the development as proposed would therefore be contrary to the proper planning and sustainable development of the area.



10th August 2026

C. Kelly, Executive Planner



11/08/'26

N. Louw, A/ Senior Planner

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