

**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. 25/ 60389

Due Date: 21st August 2025

Applicant: James Joseph Quirke

Subject: Retention permission for existing mobile home and associated site works adjacent to my dwelling house at Cappahayden, Callan, Co. Kilkenny, R95H9X3.

Third Party Submissions

One third party submission has been received from Jamie Edwards, Cappahayden and the planning issues raised therein have been considered in the assessment of this application; the issues raised are set out below:

1. Proximity of the temporary dwelling to the neighbouring house; privacy is directly impacted as the temporary dwelling can clearly be seen and heard from the living room and a bedroom.
2. Permanent planning for a temporary dwelling.
3. Impact of extra people on the immediate environment; septic tank system overload which, potentially, could impact the water table through insufficient filtration and treatment of effluent.
4. Noise impact due to the temporary dwellings' proximity to the neighbouring house.
5. The design and the relatively short life span of the proposed dwelling.

Please see attached photos for reference purposes.



Site History

ENF24090 – unauthorised development file relates to this site.

Pre-planning

No pre-planning meeting noted on the application form; however I note that a pre-planning meeting was held on 29th April 2025 relating to this site with JJ Hennessy, who stated he is the applicant's nephew and brother of the occupant of the mobile home, Shauna Hennessy.

Pre-planning meeting notes as follows:

Enf.24/090 relates to this site.

Shauna Hennessy is the proposed applicant – niece of landowner (James Quirke); meeting with JJ Hennessy (applicant's brother).

Advised that the Council is generally not in favour of temporary structures such as mobile homes for permanent residential purposes. If proposing to submit an application, advised that any such structure would only be considered on a temporary basis. Demonstrate proposals for future housing provision – applicant intends to apply to Housing Section for a dwelling.

Provide details of existing septic tank and percolation area.

Should not impact on residential amenities of any adjoining dwellings.

Referrals

Municipal District Engineer – response not received at the time of writing this report.

Development Plan Policy

The site is located in an Area Under Urban Influence as per the Council's Rural Housing policy. No details have been submitted regarding compliance with the rural settlement strategy.

Site location and description

The site is located in the rural area of Cappahayden approx. 3km to the north-west of Callan. Access to the site is via an existing entrance onto the local primary road L-1017. There is an existing single storey dwelling on site located close to the road. There is a single storey mobile home located to the east of the dwelling. The site is located in the middle of a row of three detached dwellings.



Site location map



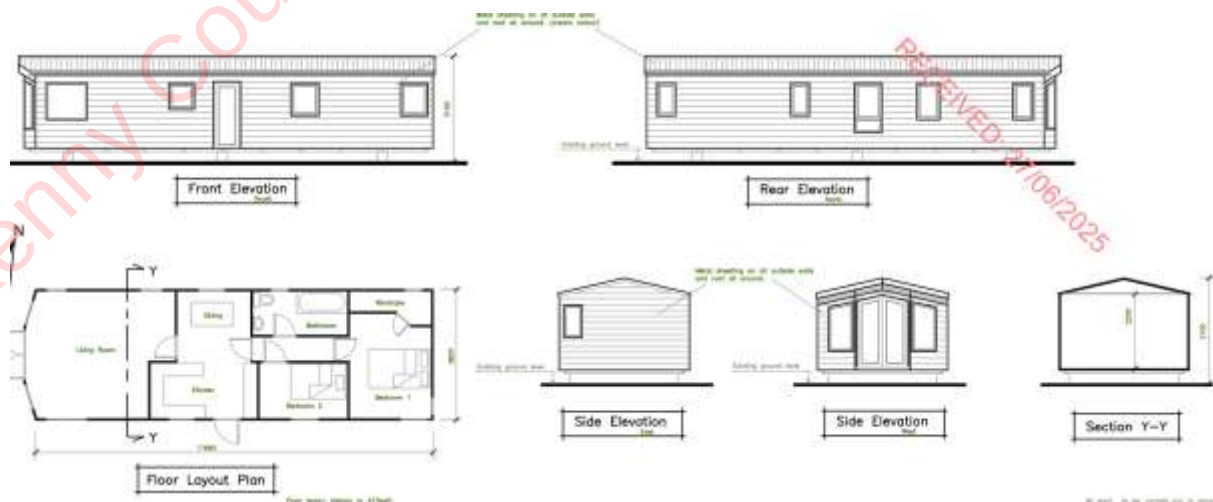
View northwards



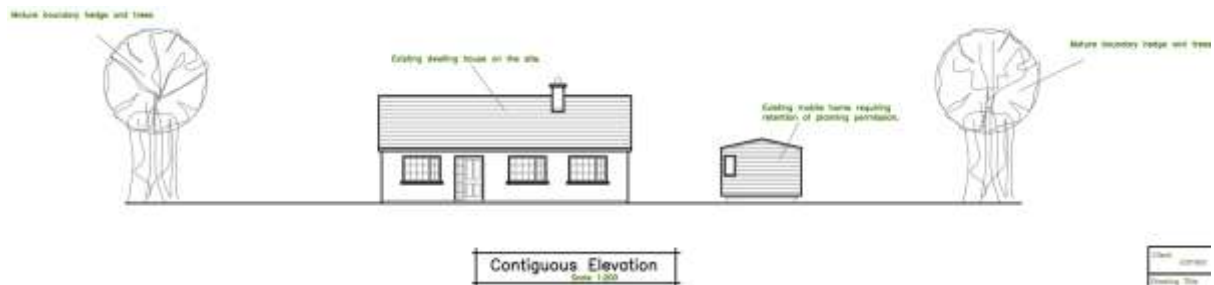
View from rear of the dwelling and mobile home (eastwards)

Proposed development

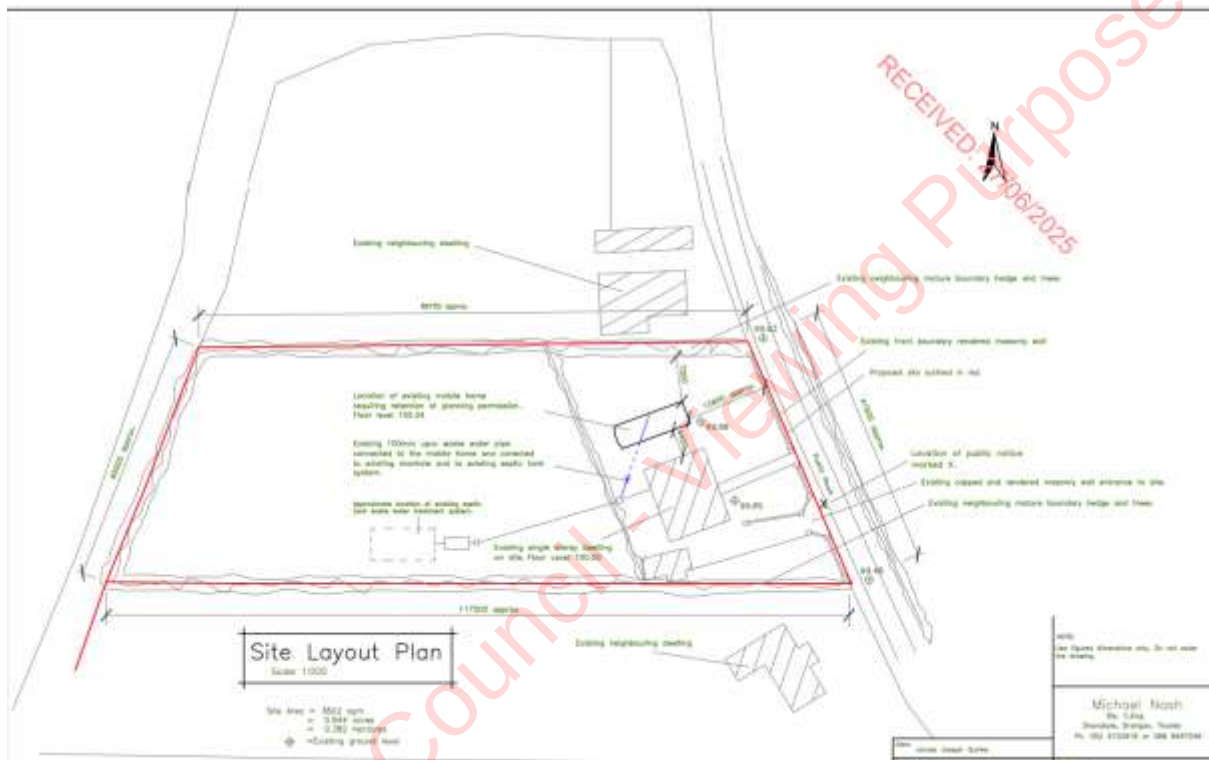
Permission sought for retention of existing mobile home and associated site works. The site has a stated area of 0.382ha. The mobile home for retention has a stated area of 44sq.m, indicated height of 3.1m, and includes two bedrooms. The existing single storey dwelling on site has a stated area of 105sq.m. The mobile home is located approx. 7m from the north site boundary which consists of mature hedgerows.



Elevations, floor plan and section



Contiguous elevation



Site layout plan

Services

Water – private well.

Surface water disposal – details not stated on application form.

Waste water – on-site effluent disposal system.

Access

No alterations are proposed to the existing vehicular entrance to the site.

Landowner

The applicant is the stated landowner.

Development Contribution

Development Contributions – to be determined on receipt of further information.

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 is pending receipt of further information to determine if any significant environmental impact is likely on any Natura 2000 site.

P.25/ 60389 Recommendation

Further information is required as follows:

1. The applicant is requested to clarify (a) the intended occupant(s) of the mobile home, and (b) the need for the mobile home on site, and (c) evidence of any application to the Housing Section of Kilkenny County Council.
2. Please clarify the rationale for the proposed retention of the mobile home on site, instead of an application for a family flat extension to the existing dwelling on site.
3. Please clarify the proposed length of time for retention of the mobile home.
4. The site is located within an Area Under Urban Influence; the applicant is requested to submit details to demonstrate compliance with the Council's rural housing policy set out in section 7.8.4 of the Kilkenny City and County Development Plan 2021-2027; which may include:
Persons with a demonstrable social need to live a particular local rural area,
(a) Persons born within the local rural area, or who have lived a substantial period of their lives in the local rural area (minimum 5 years), who have never owned a rural house and who wish to build their first home close to the original family home. Persons born in the area without having lived for the minimum of 5 years must be able to demonstrate strong family and social connections to the area to demonstrate a demonstrable social need.
5. Please submit details of the number of bedrooms in the existing dwelling house, and a floor plan of the existing dwelling house.
6. (a) The applicant is requested to engage a suitably qualified person with professional indemnity insurance to open up the existing septic tank and determine the current loading of the system and submit calculations proving that the system can cater for the loading that currently exists from the dwelling and mobile home. The inspection record shall confirm that the existing tank and percolation area are in working order and suitable for the requirements of the dwelling house and mobile home. The following should be included in a written submission as part of a further information submission;
 - (i) Type of tank (precast concrete / plastered block)
 - (ii) Working volume of tank
 - (iii) Number of chambers
 - (iv) Full extent of percolation area
 - (v) Distribution system for the wastewater in the existing percolation area
 - (vi) Photographs of the existing system.

- (viii) Separation distances to be achieved in accordance with EPA code of practice for domestic wastewater treatment systems 2021.
- (ix) Longitudinal section of the wastewater pipe network from the dwelling through the septic tank and percolation area. Showing ground level and invert of pipes as well as ground surface finishes. Generic drawing is not acceptable.
- (x) Site layout showing separation distances in compliance with EPA code of practice 2021 Table 6.2.

(b) In the event that the existing system is found not to be in working order or is of insufficient capacity, it will be necessary to provide a new wastewater treatment system and percolation area based on a new EPA assessment carried out in accordance with the provisions of the EPA code of practice 2021.

Please note:

This information is required by the Planning Authority to make a full assessment of the application and should not be taken as an indication that the proposed development is acceptable to the Planning Authority.

Sensitive information may be marked “private” and will be considered by the planning authority, but not scanned for public viewing.

Your application will be held in abeyance pending receipt of the above information, for a period not exceeding six months.



21st August 2025

C. Kelly, Executive Planner



21/08/'25

N. Louw, Senior Executive Planner