



An
Bord
Pleanála

Board Direction
BD-001519-18
ABP-301760-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/11/2018.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Given the sites location adjacent of the Owenriff River which forms part of the Lough Corrib Special Area of Conservation (Site Code 000297), and on the basis of the information on file particularly in relation to flood risk and the suitability of the site for a waste water treatment system, the Board cannot be satisfied that the proposed development either individually, or in combination with other plans or projects would not be likely to have a significant effect on the site of European importance or any other European site, in view of the site's Conservation Objectives. In such circumstances the Board is precluded from making a decision on the proposed development.
2. The site is located in close proximity to the Owenriff River, part of what is currently recognised as a floodplain and in an area which is deemed to be at risk of flooding, by reference to the current Development Plan and the documentation on file. Having regard to the submissions made in connection with the application and appeal, and notwithstanding the flood risk mitigation measures proposed, the Board is not satisfied that the proposed flood relief works would not have significant adverse effects on both the natural heritage

of the area and the future use of the river and adjoining lands arising from the alteration of the riverbank and the potential associated risk of increased flooding of other lands in the vicinity and sedimentation of the river. In addition, it is not considered that effluent can be treated within the site in compliance with the EPA Code of Practice: Wastewater Treatment Systems for Single Houses (2010), therefore the proposed development would have a negative impact on the hydrological conditions of the Owenriff River. It is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site is located 3m north of a karst feature, within an area which Groundwater Vulnerability classification is X Rock or near Surface or Kars and bedrock was encountered at 0.6m. There was evidence of surface water ponding within the site during a site inspection. It is considered that the proposed septic tank drainage system would be prejudicial to public health because of the poor percolation characteristics of the ground and the highwater table, as indicated by a trial hole excavated on the site which would render it unsuitable for the on-site treatment/disposal of effluent from the development, notwithstanding the proposed use of a proprietary wastewater treatment system.

Board Member

Date: 05/11/2018

Michelle Fagan

Note: Having regard to the agricultural zoning of the site in the Oughterard Local Area Plan 2006-2012, where residential development is restricted to a fully substantiated housing need and in the absence of any supporting documentation, it is considered that the proposed development, would contravene materially the said zoning objective and would be contrary to the proper planning and sustainable

development of the area. Having regard to the substantive reasons for refusal set out above, the board decided not to pursue this issue.

Please attach a copy of the Board Direction with the Board Order.