

An
Bord
Pleanála

Board Direction
BD-009958-22
ABP-310634-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/02/2022.

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

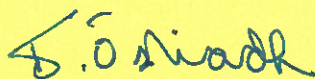
1.0 Reasons and Considerations

1. Having regard to the location of the appeal site a short distance from the shore of Lough Corrib and within its drainage catchments and the designated Natura 2000 site, the Lough Corrib SAC (site code 000297), and on the basis of the information provided with the application and the appeal, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not result in adverse impacts on the integrity of Lough Corrib Special Area of Conservation (Site Code: 000297), in view of the site's Conservation Objectives. In particular, the Board could not be satisfied that the existing drainage conditions on site could accommodate the proposed proprietary wastewater treatment system so as to ensure it could be operated in accordance with the EPA Code of Practice. The Board could not therefore rule out significant effects on water quality. In such circumstances the Board is precluded from granting permission for the proposed development.

2. Notwithstanding the proposal to use a proprietary wastewater treatment system on site, the Board had regard to the soil conditions including indication of shallow

subsoil levels above bedrock, the location of site over a regionally important aquifer with extreme vulnerability rating and within close proximity of the shoreline (drainage catchment) of Lough Corrib and indication of rock layers at a shallow level on site, to the proliferation of domestic wastewater treatment systems in the this rural area, and to the Sustainable Rural Housing Guidelines for Planning Authorities published by the Department of Environment, Heritage and Local Government 2005 which recommend, in un-sewered rural areas, avoiding sites where it is inherently difficult to provide and maintain wastewater treatment and disposal facilities, and could not be satisfied, on the basis of the information on files, that the impact of the proposed development in conjunction with existing wastewater treatment systems in the area would not give rise to a risk of groundwater pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member



Terry Ó Niadh

Date: 08/02/2022