

**An
Bord
Pleanála**

**Board Direction
BD-011791-23
ABP-312328-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/02/2023.

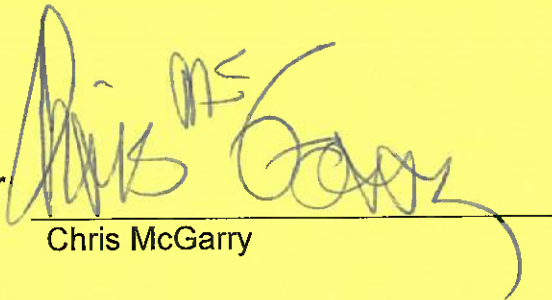
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the level of water in the trial hole which is indicative of a high water table and low permeability, to the characteristics of the subject site and the contents of the Site Assessment report, the Board is not satisfied on the basis of the information available in the planning application and the appeal submission, that the site is capable of treating foul effluent arising from the dwelling in accordance with the standards set out in the Code of Practice for Wastewater Treatment and Disposal Systems serving Single Houses (Environmental Protection Agency 2009) and is not satisfied that the method of foul water disposal would render the treatment of the effluent acceptable and would not give rise the risk of water pollution. Accordingly, the proposed development would be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a restricted regional road, at a point where sightlines are restricted in both directions.

Note: the Board noted and shared the view of the Inspector, that policy RH16 and DM Standard 26 of the Galway County Development Plan 2022-2028, would be relevant to the proposed development by reference to the issue of restricting/limiting the provision of access to restricted regional roads outside the 50-60 kph speed zones. Ordinarily this issue would warrant further consideration, however having regard to the substantive reasons for refusal set out above, it was decided not to pursue this matter further in the context of the current appeal.

Board Member



Chris McGarry

Date: 14/02/2023