

An
Coimisiún
Pleanála

Direction
CD-020430-25
ABP-322425-25

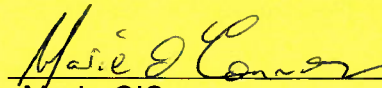
The submissions on this file and the Inspector's report were considered at a meeting held on 07/08/2025.

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

Planning

Commissioner:

Date: 07/08/2025


Marie O'Connor

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the observed ground conditions on the site where poorly draining water has been observed indicative of a high water level and the absence of required section drawings demonstrating that the percolation area can be sited in the indicative position shown to achieve necessary separation distances, the Commission is not satisfied that the wastewater from the proposed development can be disposed of in accordance with provisions of the Environmental Protection Agency Code of Practice 2021: "Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" as required by Section 2.10 of Volume 2 (Effluent Treatment Systems) of the Mayo County Development Plan 2022-2028. Noting this and the adjacent hydrological connection, including the Lackakeely River which is

within the red line boundary of the site, and the proximity to the Mweelrea/Sheeffry/Erriff Complex Special Area of Conservation (SAC) (site code 001932), Mweelrea/Sheeffry/Erriff Complex Proposed Natural Heritage Area (pNHA) (site code 001932) and the West Connacht Coast SAC (site code 002998), it cannot be concluded that there would be no significant adverse impact on the integrity of these protected Natura 2000 sites and this is contrary to policy NEP 1 (Biodiversity, Designated and Non-Designated Site Policies) of the Development Plan.

The Applicant has failed to demonstrate that there would be no adverse impact on ground or surface waters such that the proposed development may result in the deterioration of existing 'High Status' water quality of the Lackakeely waterbody which would not be consistent with the Water Framework Directive.

Note:

The Commission was not satisfied that there was sufficient information in relation to the proposed decommissioning and relocation of the septic tank system serving the existing dwelling to assess the impact on the relevant waterbodies but given the substantive reason for refusal did not consider it necessary to pursue the matter further.