

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Mayo County**

**Planning Register Reference Number: P.15/467**

An Bord Pleanála Reference Number: PL 16.246046

**APPEAL** by Knocknalyre Limited care of Joseph Bourke and Partners of Church Road, Ballina, County Mayo against the decision made on the 11<sup>th</sup> day of December, 2015 by Mayo County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Construction of four number five bed detached (two-storey) dwellinghouses with domestic garages together with all associated site works and connections to all public utilities, (planning register reference number P08/2950 Ballina Town Council [08/702950 Mayo County Council] refers) at Downhill Road, Knocknalyre, Ballina, County Mayo.

## **DECISION**

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

1. Having regard to the proposal to use four number pumping stations and connect to the public system via a private sewer it is considered that, due to deficiencies in the provision of public sewerage facilities in the area, the proposed development is premature at the current time and would set a undesirable precedent for similar type developments in the vicinity. The proposed development is, therefore, considered to be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
2. Considering the location of the site proximate to the River Brusna, which is designated as Flood Zone A on the Cfram mapping system, together with the elevated nature of the site, it is considered that it has not been adequately demonstrated whether or not the proposed development would result in possible flooding and also whether surface water can be adequately disposed of. In the absence of such information, the Board must take a precautionary approach and, therefore, the proposed development is considered to be contrary to the proper planning and sustainable development of the area.
3. On the basis of the information submitted with the application and appeal, the Board is not satisfied that the proposed development individually, and in combination with other plans and projects would not be likely to have a significant effect on the River Moy Special Area of Conservation (site code number 002298) in view of the site's conservation objectives and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2016.**