



Planning and Development Acts 2000 to 2017

Planning Authority: Galway County Council

Planning Register Reference Number: 17/177

APPEAL by Patrick Cleary of Derryclare Cottage, Cloonnacartan, Recess, County Galway against the decision made on the 3rd day of November, 2017 by Galway County Council to grant subject to conditions a permission to David Burke care of Shane Joyce of Beach Road, Clifden, County Galway.

Proposed Development: Retention of an animal housing (sheep) shed, feed passage and feed access, a sheep dosing area and dip tank and permission for extension of the shed to the size permitted under planning register reference number 06/4824, construction of a retaining wall, yard pavement and two number soiled water tanks at Cloonnacartan Townland, Recess, County Galway.

Decision

REFUSE permission for the above proposed development in accordance with 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. It is considered that the application for the retention of the sheep shed, feed passage, feed access, sheep dosing area and dip tank together with the permission to extend the shed together with other works including the retaining wall, yard pavement and water holding tank would represent a serious threat to water courses in the vicinity by reason of increased pollution. Furthermore, it is noted that the site is located in close proximity to an existing domestic well/spring which serves as a potable water supply for a dwellinghouse in the vicinity. It is considered that there is a likelihood of pollution of the well/spring through the contamination of surface water and groundwater arising from contaminated discharge from the development. It is, therefore, considered that the proposed development and the development for which retention is sought would be prejudicial to public health. The proposed development and the development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the planning application and the appeal and in the absence of a Natura impact statement, the Board is not satisfied that the proposed development and the development for which retention is sought, either individually or in combination with other plan or projects, would not be likely to have a significant effect on the European Site - The Twelve Bens-Garraun Complex Special Area of Conservation (Site Code:002031), in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

Eugene Nixon

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.