



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 17/1838

APPEAL by Patrick McInerney of Clogharevaun, Kiltulla, Athenry, County Galway against the decision made on the 20th day of March, 2018 by Galway County Council to grant subject to conditions an outline permission to Stan Lawless care of Paddy Kennedy of River Court, Cross Street, Athenry, County Galway.

Proposed Development

Erection of seven houses each with individual waste water treatment system and percolation area, and construction of an estate road to serve the development and all associated works and services at Clogharevaun, Kiltulla, Athenry, County Galway.

Decision

REFUSE outline 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. Having regard to the location of the site in an area which is prone to flooding and, notwithstanding that the site itself is not subject to flooding, it is considered that the development of the site for residential development would create an unsatisfactory residential environment for future residents due to the close proximity of roads and lands which flood. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal and in the absence of a Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on European site No. 000322 Rahasane Turlough SAC, or any other European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

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

Dated this day of 2018.