



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 18/777

APPEAL by Mark O'Toole and Mary O'Sullivan of Furbo Beach, Spiddal, County Galway against the decision made on the 16th day of January, 2019 by Galway County Council to grant subject to conditions a permission to Louise Massie care of Helena McElmeel Architects of Third Floor, Dockgate House, Merchant's Road, Galway.

Proposed Development (a) Demolition of existing house and outbuilding, (b) construction of five number dwelling houses and domestic sheds with separate wastewater treatment systems and polishing filters, and all associated site development and external works at Ballynahown, Furbo, 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. Having regard to the information submitted with the application and the appeal, particularly in relation to the potential for flood impacts, and to the absence of a Natura impact statement, the Board is not satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the Inner Galway Bay Special Protection Area (Site Code: 004031) and the Galway Bay Complex Special Area Conservation (Site Code: 000268) or any other European site, in view of the sites' conservation objectives. In such circumstances the Board is precluded from granting permission for the proposed development.
2. Having regard to the site location at the edge of the settlement of Furbo on the seaward side of the R336, (a coastal route on the Wild Atlantic Way) from which there are protected views, it is considered that the proposed development of a cluster of five two-storey dwellings would be visually obtrusive and would fail to assimilate into the coastal landscape at this location. As a result, the proposed development would seriously injure the visual amenities and landscape character of this coastal location, would set a precedent for further similar development in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board is not satisfied, based on the information submitted with the application and the appeal, that the proposed development would not give rise to increased risk of flooding to the site and to adjoining development on adjacent lands. Accordingly, the proposed development would be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

4. Taken in conjunction with the existing and permitted development in the vicinity and to the absence of existing or proposed public infrastructure facilities for the treatment and disposal of foul water, it is considered that the proposed development may not be drained satisfactorily, would result in an excessive concentration of development serviced by private effluent treatment and disposal systems and would set precedent for further similar development. The proposed development would, therefore, be prejudicial to public health.

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

Dated this day of 2019.