



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 18/674

APPEAL by James and Caroline Concannon care of Patrick J. Newell of Oaklands, Headford, County Galway against the decision made on the 21st day of January, 2019 by Galway County Council to grant subject to conditions a permission to Pat Lyons care of Clarke Construction Design of Number 3 Abbey Street, Loughrea, County Galway.

Proposed Development: Construction of new dwellinghouse, sewage treatment system and all associated site development works at Lackafinna South, Loughrea, 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 location of the proposed development on an elevated site visible from the wider approach to the site and to DM Standard 6: Assimilation of Development into Landscape as set out in the Galway County Development Plan 2015-2021, it is considered that the proposed dwellinghouse, by reason of its bulk and height, in addition to the proposal to remove the entire roadside boundary, would not be appropriate for this location. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.
2. The site is located within an area identified as a locally important aquifer with an “extreme” vulnerability classification. The trial holes were at a depth of 1.81 metres and not 2.1 metres as required in the Environmental Protection Agency Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (2009). The Board is not satisfied that effluent from the proposed development can be satisfactorily treated or disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The proposed development, would, therefore, be prejudicial to public health.

3. Having regard to the pattern of development in the area, which is characterised by significant numbers of individual dwellings, it is considered that the proposed development would constitute random housing development in a rural area lacking certain public services and community facilities and served by a poor road network. The proposed development would, therefore, give rise to demands for the provision of further public services and community facilities and would be contrary to the proper planning and sustainable development of the area.

Stephen Bohan

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

Dated this day of 2019.