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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 20/19**

**APPEAL** by Noel Regan Developments Limited care of Planning Consultancy Limited of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 4<sup>th</sup> day of March, 2020 by Galway County Council to refuse permission.

**Proposed Development:** Construction of seven number dwelling units consisting of three number four bed House Type (A) 199.54 square metres, three number four bed House Type (B) 189.72 square metres and one number five bed House Type (C) 256.81 square metres. All foul and surface water drainage to connect to the treatment plant and site services as approved under planning register reference number 19/529 and all associated site works and ancillary services 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 nature and scale of the proposed development, the proposed method of effluent treatment, by way of a privately operated wastewater treatment plant, which is of insufficient capacity to serve the proposed development as its design, based on the details as provided in An Bord Pleanála planning appeal number PL 04.239786 (planning register reference number 11/529), provides for the servicing of adjacent pre-existing residential units. The proposed development would materially contravene condition 1 of permission granted under An Bord Pleanála planning appeal number PL 07.239786 (planning register reference number 11/529), would be prejudicial to public health, and would be contrary to the proper planning and sustainable development of the area. It is considered that the proposed development would be premature pending the provision of public sewerage facilities to support the sustainable development of the settlement.

2. In the absence of a site specific flood risk assessment and having regard to the planning history of the site, the Board is not satisfied based on the details submitted that the proposed development would not have an adverse impact on lands outside the site by means of increased flood risk.

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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020**