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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: 20/679**

**APPEAL** by Anthony King care of Michael J. Duffy of 1 Clós na hEaglaise, Kilfenora, County Clare against the decision made on the 18<sup>th</sup> day of November, 2020 by Clare County Council to refuse permission.

**Proposed Development:** Construction of a dwelling, garage, on-site wastewater treatment system, a new entrance and ancillary ground works at Ballybreen, Kilfenora, County Clare.

**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**

The Board is not satisfied, on the basis of the information received with the planning application and appeal, that the details in respect of the suitability of the site for the treatment and disposal of wastewater are in accordance with the Environmental Protection Agency Code of Practice “Wastewater Treatment and Disposal Systems Serving Single Houses” (2009). In the absence of such information, it is considered that the proposed development would be prejudicial to public health and would, therefore be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2021.**