

Planning and Development Acts 2000 to 2021

Planning Authority: Galway City Council

Planning Register Reference Number: 20/345

APPEAL by Nancy Roe of Rosshill Road, Roscam, County Galway and by Martin Fahy of Rosshill Road, Roscam, County Galway against the decision made on the 21st day of September, 2021 by Galway City Council to grant subject to conditions a permission to Emma Murphy care of Mark Fahy and Associates of Quarry Road, Menlo, County Galway.

Proposed Development: Construction of a fully serviced dwelling house, garage and a treatment plant system. Permission is also sought to create a roadway to the house and garage, all at Rosshill, Old Dublin Road, Galway, as revised by the further public notices received by the planning authority on the 27th day of August, 2021, which included a revised Appropriate Assessment Screening Report.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

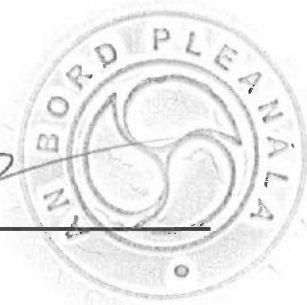
Reasons and Considerations

1. On the basis of the information provided with the planning application and the appeal, and in the absence of a Natura Impact Statement, the Board is not satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the Galway Bay Complex Special Area of Conservation (Site Code: 000268) and the Inner Galway Bay Special Protection Area (Site Code: 004031) in view of the sites' Conservation Objectives. In such circumstances, the Board is precluded from granting permission for the proposed development.
2. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the proposed development can be satisfactorily treated and/or disposed of on site, notwithstanding the proposed use of a tertiary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.



Stephen Brophy

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



Dated this *17* day of *February* 2023.