

Planning and Development Acts 2000 to 2021

Planning Authority: Sligo County Council

Planning Register Reference Number: 21/339

APPEAL by Niamh Gormley care of O'Dowd Architectural Services Limited of Shop Street, Boyle, County Roscommon against the decision made on the 21st day of October, 2021 by Sligo County Council to grant subject to conditions a permission to Niall Curley care of Middleton Architectural and Engineering Services of Humbert Street, Tubbercurry, County Sligo.

Proposed Development: Construction of a dwelling house, proprietary effluent treatment unit and soil polishing filter on site, together with all ancillary site works and services at Carrowloughlin, Bunninadden, County Sligo.

Decision


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

Reasons and Considerations

1. Having regard to the density of houses served by individual wastewater treatment systems in the immediate vicinity and, in light of the shallow depth to bedrock, silt clay and clay soil and subsoil texture and classification and visible vegetation indicators on site, demonstrative of poor drainage, the Board is not satisfied, on the basis of the information submitted in connection with the planning application and the appeal, that the site can be drained satisfactorily by means of a septic tank, notwithstanding the proposed use of a proprietary wastewater treatment system. 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.

2. On the basis of the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the application has been made by a person who has:
- (a) sufficient legal estate or interest in the land the subject of the application to enable the person to continue the existing use of, or to carry out the proposed works on the land, or
 - (b) the approval of the person who has such sufficient legal estate or interest.

In such circumstances, it is considered that the Board is precluded from giving further consideration to the granting of permission for the proposed development the subject of the application.



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



Dated this **30th** day of **August** 2022.