

An  
Bord  
Pleanála

**Board Order**  
**ABP-312328-21**

---

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 21/1866**

**Appeal** by Stephanie Lyons care of Conor Hayes Consulting Engineer of Kiltormer, Ballinasloe, County Galway against the decision made on the 1<sup>st</sup> day of December, 2021 by Galway County Council to refuse permission.

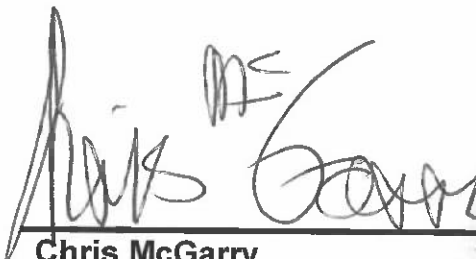
**Proposed Development:** Construction of a new single storey dwelling, septic tank, treatment system, percolation area and all associated works at Kilmalaw, Aughrim, County Galway.

## **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 level of water in the trial hole which is indicative of a high water table and low permeability, to the characteristics of the subject site and to the contents of the Site Assessment Report, the Board is not satisfied, on the basis of the information submitted with the application and the appeal, that the site is capable of treating foul effluent arising from the dwelling in accordance with the standards set out in the Code of Practice for Wastewater Treatment and Disposal Systems serving Single Houses (Environmental Protection Agency 2009). Furthermore, the Board is not satisfied that the method of foul water disposal would render the treatment of the effluent acceptable and would not give rise to the risk of water pollution. Accordingly, 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. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a restricted regional road, at a point where sightlines are restricted in both directions.

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

Dated this  day of  2023.