

An
Bord
Pleanála

Board Order
ABP-314255-22

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 21/2015

Appeal by Niall Kilkelly of Shanclough, Burren, Kinvara, County Galway against the decision made on the 7th day of July, 2022 by Galway County Council to grant permission subject to conditions to Patricia Hehir care of Grealish Glynn and Associates of 1 The Punchbowl, Ennis Road, Gort, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Retention of dwellinghouse on revised site boundaries to that previously granted under planning register reference number 54082, (2) relocation of existing entrance, and (3) upgrade of effluent treatment system to Environmental Protection Agency standards, all at Leagh North, County Galway.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Galway County Development Plan 2022-2028 and to the nature of the proposed development and the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, and would be acceptable in terms of traffic safety. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 28th day of October 2021, and in accordance with the requirements of the document entitled "Code of Practice – Domestic Waste Water Treatment Systems (p.e. ≤ 10)" – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority within three months from the date of this Order.
- (b) Within three months from the date of this Order, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the Environmental Protection Agency document.

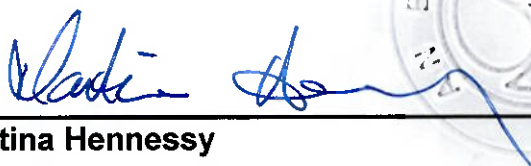
Reason: In the interest of public health.

3. Within three months from the date of this Order, the developer shall submit to and agree in writing with the planning authority, details for the decommissioning/removal of existing septic tank from the site.

Reason: In the interest of public health.

4. The existing vehicular entrance shall be blocked up within three months of the new entrance being commissioned. The existing entrance shall be replaced by a boundary wall matching the height and finish of the existing boundary.

Reason: In the interest of traffic safety.



Martina Hennessy

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

Dated this *29th* day of *October* 2023.