



An
Bord
Pleanála

Board Order ABP-315774-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/60950

Appeal by Martin Hogan of 14 Ashlawn, Athenry Road, Loughrea, County Galway against the decision made on the 13th day of January, 2023 by Galway County Council to grant subject to conditions a permission to Kevin and Sharon O'Donnell care of Shane Hanniffy and Associates of Cottage, Maree, Oranmore, County Galway.

Proposed Development: Construction of a dwellinghouse, domestic garage, wastewater treatment system, percolation area and all associated services at Ballyhogan, Kilreekill, Loughrea, County Galway.

Decision

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

Reasons and Considerations

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the proposed development would generate on a road at a point where sightlines are restricted in an easterly direction. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the provisions of the Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10) issued by the Environmental Protection Agency (March 2021), the Board is not satisfied that wastewater generated by the proposed development could be satisfactorily accommodated on site when combined with a well (Table 6.2: Minimum separation distances from the entire DWWTS of the Code of Practice refers). It is considered that, given the absence of a public water supply to service the site and, notwithstanding the use of a proprietary wastewater treatment system, there is no information to show that a well can be accommodated on site should a public piped water supply be unavailable. The proposed development would conflict with the provisions of the Code of Practice of the Environmental Protection Agency, would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

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

Dated this 7 day of December 2023.