



An  
Bord  
Pleanála

## Board Order ABP-315854-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: 22/540**

**Appeal** by Michael and Della Malone of Ballyvrislaun, Liscannor, County Clare and by Garrett Taylor of Ballyvrislaun, Liscannor, County Clare against the decision made on the 25<sup>th</sup> day of January, 2023 by Clare County Council to grant subject to conditions a permission to Siobhan Hewlett care of Aiden Fitzgerald of Doolin, County Clare.

**Proposed Development:** Construction of a dwellinghouse with proprietary wastewater treatment system and percolation area together with ancillary site works, all at Ballyvrislaun, Liscannor, County Clare.

### Decision

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

## Reasons and Considerations

Having regard to the conditions pertaining on site, and the failure to demonstrate compliance with the EPA Code of Practice Domestic Waste Water Treatment Systems for PE 10, 2021, the Board is not satisfied, on the basis of the submissions made 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. The proposed development would, therefore, be prejudicial to public health.



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Mary Henchy

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

Dated this 25<sup>th</sup> day of March 2024.