



An
Bord
Pleanála

Board Order ABP-315962-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/843

Appeal by Sean Fahey of 68 Sliabh Carran, Ennis Road, Gort, County Galway against the decision made on the 3rd day of February, 2023 by Galway County Council to refuse outline permission.

Proposed Development: Construction of a single-family dwellinghouse, garage, wastewater treatment system and ancillary site facilities, all at Gardenlake, Peterswell, Gort, County Galway.

Decision

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

Reasons and Considerations

1. The site of the proposed development is located within an 'Area Under Strong Urban Pressure' in the Galway County Development Plan 2022-2028. Having regard to the documentation submitted with the planning application and the appeal, the Board is not satisfied that the applicant has demonstrated that he comes within the scope of the housing need criteria as set out in Policy Objective RH 2 of the Galway County Development Plan 2022-2028. The proposed development would be contrary to the Galway County Development Plan 2022-2028, would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the information submitted with the planning application and the appeal, specifically ambiguity in relation to the location of components of the proposed wastewater treatment system, it is unclear whether the proposed development would comply with the Code of Practice Domestic Wastewater Treatment Systems (p.e. ≤ 10) 2021 (EPA), in particular the requirements set out in Table 6.2. The Board is, therefore, not satisfied that the site is capable of treating foul effluent arising from the proposed dwellinghouse. The proposed development 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 6th day of *March* 2024.