



An
Bord
Pleanála

Board Order

ABP-319267-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 23/61219

Appeal by Barry McCormack and others care of Michael Duffy of 1 Clós na hEaglaise, Kilfenora, County Clare against the decision made on the 14th day of February, 2024 by Galway County Council to grant subject to conditions a permission to Cahermorris Developments Limited care of Planning Consultancy Services of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway.

Proposed Development: Construction of 39 number residential units on an infill development site. The development will consist of: one by Type A block of four number two-bed two-storey terraced houses (four number units), two by Type B block of three number two-bed two-storey terraced houses (six number units), one by Type C block of two number three-bed two-storey semi-detached houses (two number units), one by Type C1 block of two number three-bed two-storey semi-detached houses (two number units), one Type D block of four number two-bed two-storey terraced houses (four number units), one by Type D1 block of four number two-bed two-storey terraced houses (four number units), one by Type E block of five number two-bed terraced houses (five number units), one by Type F block of three number two-storey terraced houses, comprising two number two-beds and one number three-bed (three number units), one by Type G block of five number bungalow terraced houses, comprising four number two-beds and one number three-bed (five number units), one by Type H block of four number two-bed bungalow

terraced houses (four number units). The proposed development includes provision for pedestrian and vehicular connection onto the R358 College Road, via the permitted/existing access road and junction to the south, the proposed development includes for connection to public mains water supply and wastewater arrangements as agreed under connection agreements with Irish Water, public open space areas with a playground, private open space areas, footpaths, bicycle parking, public lighting, landscaping and boundary treatments, together with all associated site works and services, all at Treanrevagh, Mountbellew, County Galway.

Decision

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

Reasons and Considerations

1. The proposed development entails the use of a temporary wastewater treatment system to pre-treat effluent from the proposed development to secondary level, prior to discharging to the existing Mountbellew Wastewater Treatment Plant, managed by Uisce Éireann, which is currently operating at/above capacity. Construction of a new plant in Mountbellew is not expected until Quarter 4 2027. It is considered that the applicant has failed to demonstrate that the existing Wastewater Treatment Plant at Mountbellew would be capable of operating without an unacceptable deterioration in the water quality of the Castlegar River into which it flows. In the absence of adequate sufficient capacity in the Mountbellew Wastewater Treatment Plant, it is considered that the proposed development would be contrary to Objective SS7 and Objective WW4 of the Galway County Development Plan 2022-2028 in respect of wastewater capacity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Natura Impact Statement submitted with the planning application does not examine the potential impact of the proposed development on the River Suck Callows Special Protection Area (Site Code: 004097) at operational phase, specifically the proposal to discharge pre-treated effluent to Mountbellew Wastewater Treatment Plant, which is operating at/above capacity, and the potential for impacts as a consequence of subsequent discharge from this wastewater treatment plant to the Castlegar River, which connects to the River Suck Callows Special Protection Area (Site Code: 004097). Furthermore, the Natura Impact Statement does not address the potential for cumulative impact on the River Suck Callows Special Protection Area (Site Code: 004097) arising from the development permitted under planning register reference number 23/60139, the pre-treated effluent from which similarly discharges to the Mountbellew Wastewater Treatment Plant. It is considered that these omissions represent a significant lacuna in the Natura Impact Statement, and, on the basis of the information submitted with the planning application, the appeal and the Natura Impact Statement, the Board cannot be satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the River Suck Callows Special Protection Area (Site Code: 004097), in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting permission for the proposed development.



Declan Moore

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

Dated this 23rd day of JANUARY 2025.