

An
Coimisiún
Pleanála

Commission Order
ABP-320994-24

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 24/60941

Appeal by Gerard Shaughnessy of 1 The Maples, Gort, County Galway against the decision made on the 17th day of September, 2024 by Galway County Council to grant subject to conditions a permission to Caroline Dolan care of Enviroplan Consulting Limited of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway.

Proposed Development: Construction of a dwellinghouse, garage, wastewater treatment system and all associated works, all at Ballyboy, Gort, County Galway.

Decision

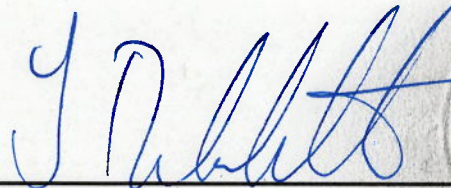
REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

It is considered that the proposed dwelling design, by reason of its excessive scale, massing and bulk on an elevated site, would adversely impact on the visual and rural amenities of the receiving environment and would be contrary to the core design principles as set out in the Galway Design Guidelines for the Single Rural House in Appendix 5 of the Galway County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission agreed with the Inspector where he raised concerns regarding the design of the proposed dwelling, including it being over-complicated, of significant mass, of bulky design, with inappropriate horizontal fenestration emphasis, and that a design more consistent with the core design principles, as set out in the Galway Design Guidelines for the Single Rural House, is required; however, the Commission did not agree that these matters could be addressed by way of condition, as proposed by the Inspector, and considered that a more comprehensive redesign is required given the elevated nature of the site.

The Commission also had concerns regarding the proposed on-site wastewater treatment system noting that a regionally important aquifer underlies the site and thus the trial hole should be a minimum depth of three metres, as stated in Section 3.2 of the Site Characterisation Form as submitted by the applicant and at Section 5.4.2 of the EPA Code of Practice: Domestic Waste Water Treatment Systems (Population Equivalent <10)). The depth of the trial hole in this instance was 1.6 metres and, therefore, does not comply with the above. The Commission also noted that the Site Characterisation Form indicates water supply is to be via a mains supply; subsequent information submitted to the planning authority indicated a private well supply. The Commission considered that the suitability of the site to accommodate a wastewater treatment system, as proposed, had not been fully demonstrated having regard to the above; however, given the substantive issue for refusal, the Commission decided not to pursue this issue any further in this instance.



Tom Rabbette

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this

9th

day of

Dec.

2025.

