

Planning and Development Act 2000, as amended

Planning Authority: Clare County Council

Planning Register Reference Number: P25/163

APPEAL by Grant Kelly against the decision made on the 16th day of October, 2025 by Clare County Council to refuse permission for the proposed development.

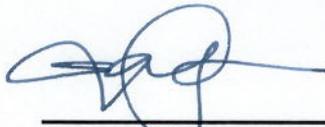
Proposed Development: Construction of dwelling house, entrance, wastewater treatment system and percolation area plus all ancillary site works at Moanmore Lower, Kilrush, County Clare.

Decision

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

Reasons and Considerations

Having regard to the protection of water quality and public health, on the basis of the available information provided, it is considered that it has not been demonstrated that there is adequate unsaturated sub soil on the site to treat wastewater in accordance with the requirements of the Environmental Protection Agency Code of Practice for Domestic Wastewater Treatment System 2021. Therefore, in the absence of an adequate discharge for foul effluent, it is considered that the proposed site does not have the capacity to adequately treat wastewater, would have adverse impacts on water quality, would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.



Emer Maughan

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 24th day of March 2026