



Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2561292

APPEAL by Paul Heaney and others against the decision made on the 27th day of November, 2025 by Galway County Council to grant subject to conditions permission for the proposed development.

Proposed Development: Works at existing village buildings located within the curtilage of protected structures, being RPS Number 141, RPS Number 142 and RPS Number 143, listed as Protected Structures in Galway County Council's Development Plan 2022 – 2028 for (A) Retention planning permission for an existing 20 cubic metre septic tank along with all ancillary works and (B) Planning permission for proposed tertiary wastewater treatment system and pump station along with all ancillary works. All at Esker, Kiltullagh, Athenry, County Galway.

Decision

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

Reasons and Considerations

The Commission is not satisfied, having regard to deficiencies in the information provided in relation to the design and capacity of the proposed wastewater system and percolation areas / polishing filters, particularly having regard to the proposed hydraulic loading rates into the polishing filters which are considered to be excessive and not in accordance with the recommended hydraulic loading rates set out in Table E2 of Appendix E set out in the Environmental Protection Agency (EPA) Guidance on Authorisation of Discharges to Groundwater (2011), that the proposal would not be prejudicial to public health. Furthermore the Commission is not satisfied the applicant carried out a suitably robust technical assessment of the impact of the proposal on underlying groundwater, in accordance with the methodologies set out the EPA Guidance on Authorisation of Discharges to Groundwater (2011), that the proposed development and the development proposed to be retained, would not negatively impact upon public health or the groundwater status, and would therefore fail to comply with the requirements of Policy Objective WR1- Water Resources of the Galway County Development Plan 2022 - 2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.



Paul Caprani

Planning Commissioner of An Coimisiún

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



Dated this 15th day of April 2026.