



An
Bord
Pleanála

Inspector's Report

ABP-308248-20

Development	Construction of house, treatment system and percolation area.
Location	Carrowmanagh , Oughterard, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	20876
Applicant(s)	Padraic Tierney
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Padraic Tierney
Date of Site Inspection	09 th December 2020
Inspector	Colin McBride

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.318 hectares is located to the north west of Oughterard and on the western side of the Glann Road. The area is rural in character with a number of one off dwellings located along the road. The appeal site is part of field located to the rear of an existing dwelling fronting onto the Glann Road. There is an existing laneway to access the site from the Glann Road and it runs between existing dwellings fronting the road. The site is flat and is defined by a post and rail fence along the north western boundary, hedgerow along the south eastern and south western boundary, and a hedgerow/post and rail fence along the north eastern boundary. The site is directly to the rear of a dormer style dwelling fronting onto the Glann Road. Lands to the north, south and west are agricultural lands.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a dwelling house, treatment system, percolation area and all associated site works. The proposal is for a single-storey dwelling with a floor area of 363sqm and a ridge height of 5.906. The dwelling features a mono-pitch roof profile and three separate wings arranged around a courtyard. The external finishes consist of a mixture of plaster, stone, blue/black roof slates and zinc cladding. The dwelling is accessed off an existing laneway that provide vehicular access off the Glann Road and currently serves agricultural lands.

3.0 Planning Authority Decision

3.1. Decision

Permission refused based on three reasons...

1. Having regard to the access arrangement, elongated linear driveway and unconventional siting of the proposed development within an unserviced Class 4 rural area, it is considered that the proposed development, would if permitted result in a haphazard arrangement, which would not fit appropriately or integrate effectively

into the setting by way of disorderly development. Furthermore, the proposed house would contravene materially Objective RHO 9, Objective LCM 1, Objective LCM 2 and DM Standard 6 contained in the Galway County development Plan, 2015-2021. Accordingly to grant the proposed development would interfere with the character of the landscape and pattern of development in the area, would be would detract from the visual and residential amenity of the area, would militate against the preservation of the rural environment, would contravene materially a development objectives and a development management standard contained in the current county development plan, would set an undesirable precedent for similar future development in the area, and therefore would be contrary to the proposed planning and sustainable development of the area.

2. The site is located in a rural setting within the Galway Transportation Planning Study Area, which is an area subject to strong urban influence, as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issues by the Department of the Environment, Heritage, and Local Government in April 2005 and Objective RHO 1 (Rural Housing Zone 1) of the 2015-2021 Galway County development Plan. The site is also located within a Class 4 landscape area, where new dwellings are restricted to genuine rural housing need cases (Objective RHO 3 of the 2015-2021 Galway County Development Plan). Based on the documentation submitted with the planning application, it is considered that the applicant does not meet the rural housing criteria to build a house at this rural location, as set out in the Sustainable Rural Housing Guidelines and the current Galway County development Plan. Accordingly to grant the proposed development would contravene materially an objective contained in the county development plan, would be contrary to ministerial guidelines, issued to the planning authorities under Section 28 of the Planning and Development Act 2000, as amended, would set an undesirable precedent for similar future development in the area, and therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the following:

- the poor drainage credentials of the subject site as observed under planning reference 18/1319 and the current proposal being assessed outside of the height of the winter watertable,
- the current wastewater infrastructure being sited in the same general location as sought heretofore on site under the aforementioned historical applications.
- the presence of the Lough Corrib SAC designation in close proximity to the site and the connectivity of the subject site to said designated,

It is considered by the Planning Authority that the safe disposal of domestic effluent on site cannot be guaranteed as per in accordance with the EPA Code of Practice manual 2009. Accordingly, to grant the proposed development would be prejudicial to public health, would seriously endanger the health and safety of persons occupying the existing and proposed structures on site contrary to Objective WW 5 of the county plan. Furthermore, to permit the development would pose an unacceptable risk to surface water and ground waters, would have potential for an adverse indirect impact on the conservation status of Lough Corrib SAC (000297), which is a Natura 2000 site protected under the Habitats Directive (92/43/EEC) and hence would materially contravene Objectives, NHB 1 of the Galway County Development Plan 2015-2021 and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning report (no date): The proposal was considered to consist of an inappropriate pattern and form of development, the applicant has failed to demonstrate compliance with rural housing policy under the County Development Plan and site conditions were deemed to be unacceptable in regards to wastewater treatment with potential significant effects on the Lough Corrib SAC. Refusal was recommended based on the reasons outlined above.

3.3. Prescribed Bodies

3.3.1 None.

3.4. Third Party Observations

3.4.1 None.

4.0 Planning History

4.1 18/1319: Permission refused for construction of new dwelling house, garage, treatment system and percolation area, and all associated site works. Refused based on four reasons including pattern of development and drainage.

5.0 Policy Context

5.1. Development Plan

The relevant development plan is the Galway County Development Plan 2015-2021.

The relevant Development Plan is the Galway County Development Plan 2015-2021. The site is in an area classified as Rural Housing Zone 1 (Rural Areas Under Strong Urban Pressure-GTPS) based on the Planning Authority's assessment of the proposal. Key objectives for this area are...

- To facilitate the genuine housing requirements of the local rural community (rural generated housing), subject to satisfactory site suitability and technical considerations;
- To direct urban generated development to areas for new housing development in the adjoining urban centres, town and villages as identified in the County Settlement/Core Strategies;
- To accommodate residential development proposals in accordance with Chapter 13 (Development Management Standards and Guidelines).

Policy RHO 1 - Management of New Single Houses in the Countryside

It is a policy of the Council to facilitate the management of new single houses in the countryside in accordance with the Rural Housing Zones 1, 2, 3 and 4 and to support the sustainable re-use of existing housing stock within the County.

Policy RHO 2 - Adherence to the Statutory Guidelines & County Development Plan

It is a policy of the Council to ensure that future housing in rural areas complies with the Sustainable Rural Housing Guidelines for Planning Authorities 2005 (DOEHLG), the Core/Settlement Strategies for County Galway, Rural Housing Objectives and the Development Management Standards and Guidelines of this plan.

Objective RHO 1 - Rural Housing Zone 1 (Rural Area Under Strong Urban Pressure-GTPS)

It is an objective of the Council to facilitate Rural Housing in the open countryside subject to the following criteria (attached).

Objective LCM 1 – Landscape Sensitivity Classification: The Planning Authority shall have regard to the landscape sensitivity classification of sites in the consideration of any significant development proposals and, where necessary, require a Landscape/ Visual Impact Assessment to accompany such proposals. This shall be balanced against the need to develop key strategic infrastructure to meet the strategic aims of the plan, and having regard to the zoning objectives of serviced development land within the Galway Metropolitan Areas.

Objective LCM 2 – Landscape Sensitivity Ratings: Consideration of landscape sensitivity ratings shall be an important factor in determining development uses in areas of the County. In areas of high landscape sensitivity, the design and the choice of location of proposed development in the landscape will also be critical considerations.

DM Standard 6: Assimilation of Development into Landscape

All permissible buildings should avoid locally obtrusive elevated locations and should be located on mid slopes or lower slopes of rising ground where possible.

Development should seek to preserve traditional field patterns and established hedgerow and woodland. A visual impact assessment may be required where the proposal is located in an area identified as “Focal Points/Views” in the Landscape Character Assessment of the County or in Class 4 and 5 designated landscape sensitivity areas.

Oughterard Local Area Plan 2006-2012

The appeal site is within the development boundary of the LAP. The site is zoned Residential. Under the County Development Plan settlement strategy Oughterard is identified Other Village, (1500 population). Table 2.6 outlines the schedule of status of Local Area Plans for County Galway. In relation to Oughterard it notes that a status of “to be commenced”.

5.2 National policy

Sustainable Rural Housing Guidelines (2005):

The overarching aim of the Guidelines is to ensure that people who are part of rural community should be facilitated by the planning system in all rural areas, including those under strong urban based pressures. To ensure that the needs of rural communities are identified in the development plan process and that policies are put in place to ensure that the type and scale of residential and other development in rural areas, at appropriate locations, necessary to sustain rural communities is accommodated.

National Planning Framework – Project Ireland 2040, Department of Housing, Planning and Local Government (2018)

National Policy Objective 19 refers to the necessity to demonstrate a functional economic or social requirement for housing need in areas under urban influence i.e commute catchment of cities and large towns and centres of employment. This will be subject to siting and design considerations. In all cases the protection of ground and surface water quality shall remain the overriding priority and proposals must

definitely demonstrate that the proposed development will not have an adverse impact on water quality and requirements set out in EU and national legislation and guidance documents.

5.3 Natural Heritage Designations

5.3.1 Lough Corrib SAC (Site Code 000297), 140m from the site.

5.4 EIA Screening

5.4.1 Having regard to nature and scale of the development, which is the construction of a dwelling, wastewater treatment system and associated site works of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal has been lodged by Padaric Tierney, River Springs, Glann Road, Oughterard. The grounds of appeal are as follows...

- It is noted that the Planning Authority's assessment of the site has been in an unserviced rural area is flawed as the site is within the development boundary of the Oughterard Local Area Plan 2006-2012 and on lands zoned residential where the development would be permitted in principle. It is noted that the design and layout of the proposal has regard to the development frameworks set down under the LAP and that rural housing policy does not apply in this case. The appellant notes a precedent in the vicinity granted under the LAP policy under which it was noted that no housing need is required (19/940).
- In relation to the pattern for development it is noted that the design and layout does conform with the zoning pattern and development objectives under the Oughterard Local Area Plan 2006-2012 which facilitates the development

backland areas zoned for development. The proposal has been designed in manner to be unobtrusive.

- It is noted that the site has been thoroughly assessed for the purpose hydrological and ecological impact and that it has been demonstrated that the site is suitable for the installation and operation of a wastewater treatment system without any adverse impact on surface or groundwater. It is noted that the layout and design is different from the previous refusal on site and new trial hole was dug.
- The applicant submitted an Appropriate Assessment screening and a Natura Impact Statement which demonstrate that the proposal would not have significant effects on any Natura 2000 site.

6.2. Planning Authority Response

6.2.1 No response.

7.0 Assessment

7.1 Having inspected the site and the associated documents the main issues can be assessed under the following headings.

Principle of the proposed development

Design, layout, pattern of development

Wastewater treatment/public health

7.2 Principle of the proposed development:

7.2.1 One of the three reason for refusal was failure to comply with rural housing policy under the Galway County Development Plan. The proposal was assessed on the basis that the site is located in an area classified as Rural Housing Zone 1 (Rural Areas Under Strong Urban Pressure-GTPS). With regard to the Sustainable Rural Housing Development Guidelines, the subject site was considered to be located in

an area designated as 'Area Under Strong Urban Influence'. This is an area where urban generated development is to be directed to areas zoned for new housing in towns and villages. National Policy Objective 19 of the National Planning Framework refers to the necessity to demonstrate a functional economic or social requirement for housing need in areas under urban influence. It was determined the applicant had failed to demonstrate compliance with rural housing policy.

7.2.2 The first party appellant has argued that the appeal site is located within the development boundary of the Oughterard Local Area Plan 2006-2012 and although that such has expired it is still considered to be the primary guidance document for development within the Oughterard plan area. It is pointed out that the site was zoned for residential use under said plan and in this regard rural housing policy does not apply.

7.2.3 The Oughterard Local Area Plan 2006-2012 was in force up until 2012. Under the development Plan settlement strategy Oughterard is identified Other Village, (1500 population). Table 2.6 outlines the schedule of status of Local Area Plans for County Galway. In relation to Oughterard it notes that a status of "to be commenced". I would note that the site is within the development boundary that was set by the LAP and Oughterard is a recognised urban settlement as set out under the Development Plan settlement strategy. In my view the LAP has expired and the appeal site is remote from the existing urban pattern of development that defines the existing settlement, is in a rural area and should be refused on the basis of failure to comply with rural housing policy. Having regard to the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy to "facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area...having regard to the viability of smaller towns and rural settlements", it is considered that the applicant has not demonstrated an economic or social need to live in this rural area in accordance with national policy.

7.3 Design, layout, pattern of development:

7.3.1 One of the reasons for refusal relates to the pattern of development with reference to the access arrangements, elongated linear driveway and unconventional siting of the proposed development within an unserviced Class 4 rural area. It was considered that the proposed development, would if permitted result in a haphazard arrangement, which would not fit appropriately or integrate effectively into the setting by way of disorderly development and contravene materially Objective RHO 9, Objective LCM 1, Objective LCM 2 and DM Standard 6 contained in the Galway County development Plan, 2015-2021.

7.3.2 The appeal site is located to the rear of an existing dwelling fronting the public road. The site and adjoining lands to the north have an existing access off the public road and a laneway that runs between two existing dwellings. The appeal site is a short distance from the centre of the village, but is located outside of the established urban pattern of development and in an area that is rural in character but also characterised by a significant degree of one-off houses and ribbon development. As noted in the previous section there is difference in view between the applicant/appellant and the Planning Authority regarding the status of the site in terms of urban or rural development. Viewed purely on its merits the proposed dwelling is located on a flat site that currently has a good degree of access from the public road due the provision of an existing entrance and laneway. The proposal is for low profile dwelling with a monopitch roof. The location of the site to the rear of the existing dwelling, the design of the dwelling, the flat topography of the site and intervening structures and vegetation would mean the proposed dwelling is unlikely to have a prominent or adverse visual impact. I would consider that whether the site is viewed as urban or rural, that the it overall impact in terms of visual amenities and pattern of development would not be contrary to the proper planning and development of the area.

7.4 Wastewater Treatment/public health:

7.4.1 The proposal entails the provision of a proprietary wastewater treatment system.

The previous proposal on site under ref no. 18/1319 was refused based on poor drainage characteristics. The current proposal has been refused on the basis of poor drainage conditions and potential effects on the Lough Corrib SAC designation in close proximity to the site and the connectivity of the subject site to said designated site.

7.4.2 A site characterisation report was submitted including trial hole and percolation test results. The trial hole tests note that the water table level was encountered in the trial hole at a depth of 1.15m (trial hole depth of 1.34m depth to bedrock). The percolation test result for P tests by the modified method for shallow soil/subsoils and/or water table, indicate percolation values that are within the standards that would be considered acceptable for the operation of a wastewater treatment system set down under the EPA Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses. The report indicates that site specific design will include a wastewater treatment system with tertiary treatment.

7.4.3 The appeal submission includes a Hydrological Study outlining the characteristics of the site and the intervening area including details of surface water bodies, soil, bedrock, groundwater, designated sites. This report highlights the impact of a drain on lands to the south west of the site and the fact that this drain is blocked and is responsible for inflow into the site and wet drainage characteristics on site. The drain is not on the land within the applicant's control however a number measures are suggested to alleviate the impact of the drain including tree plantation along the western boundary, provision of a soak trench, rainwater harvesting and adequate surface water management. It is noted that this issue can be dealt with by water management measures and such taken in conjunction with the specifications of the proposed wastewater treatment system and drainage characteristics as demonstrated by the site characterisation, would mean the proposal is acceptable in context of drainage and public health.

7.4.4 From my site inspection it is clear that the appeal site does have drainage issues and such were apparent from visual inspection and underfoot conditions. The site characterisation report submitted shows that water table is high on site and it is notable that such was based on a test carried in the summertime (June). The Hydrological Study submitted with appeal also gives details regarding drainage issue on adjoining lands that contribute to less than ideal drainage condition on the appeal site. I would consider that having regard to evidence of poor drainage characteristics on the appeal site, such is unsuitable for the operation of wastewater treatment system and if permitted such would give rise to development that would be prejudicial to public health. In addition I would also be of the view that taken in conjunction with existing one-off housing development in the vicinity the proposal would give rise to an over proliferation of individual wastewater treatment systems at this location and would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

7.4.5 As noted above the applicant/appellant is of the view that the site is within the development boundary of Oughterard set by the Oughterard Local Area Plan 2006-2012 and is zoned residential. If this site is deemed to urban in nature there is question regarding its ability to be serviced by the municipal wastewater treatment system for Oughterard. Based on information from the Irish Water website the upgrade of the wastewater treatment plant in the town has been completed with the current plant having a pop of 2400. It would not be appropriate to encourage development on zoned urban lands to be serviced by individual wastewater treatment systems and if the appeal cannot be serviced by such infrastructure then development on such would be premature pending provision of adequate services to serve development on such.

8.0 Appropriate Assessment

8.1 A Natura Impact Statement Limited was submitted by the applicant.

8.2. Screening

- 8.2.1 I followed the staged approach to screening for appropriate assessment as recommended in both EU Guidance and by the Department of Environment, Heritage and Local Government:-
1. Description of the plan or project and local site or plan area characteristics.
 2. Identification of relevant Natura 2000 sites and compilation of information on their qualifying interests and conservation objectives.
 3. Assessment of likely significant effects-direct, indirect and cumulative, undertaken on the basis of available information.
 4. Screening statement with conclusions.
- 8.2.2 Project Description and Site Characteristics
- 8.2.3 The proposed development is as described in the report above and in the application submissions.
- 8.2.4. Relevant Natura 2000 Sites, Qualifying Interests and Conservation Objectives: One site is identified within the zone of influence of the proposed development based on proximity and potential hydrological links...

Lough Corrib SAC (Site Code 000297), 140m from the site. The Owehariif River is located 140m to the west of the site and is part of the Lough Corrib SAC.

Site Code, Site Name and Designation	Approx. Distance from Site	Conservation Objectives; Qualifying Habitats and Species	
000297 Lough Corrib SAC	140m from the site	To maintain or restore the favourable conservation condition of the habitats and species listed as Special Conservation Interests for this SAC:	

		<p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]</p> <p>Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]</p> <p>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410]</p> <p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Depressions on peat substrates of the Rhynchosporion [7150]</p> <p>Calcareous fens with Cladium mariscus and species of the Caricion davallianae [7210]</p> <p>Petrifying springs with tufa formation (Cratoneurion) [7220]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Bog woodland [91D0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Austropotamobius pallipes (White-clawed Crayfish) [1092]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p>	
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		Salmo salar (Salmon) [1106] Rhinolophus hipposideros (Lesser Horseshoe Bat) [1303] Lutra lutra (Otter) [1355] Najas flexilis (Slender Naiad) [1833] Hamatocaulis vernicosus (Slender Green Feather-moss) [6216]	
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8.2.5 Assessment of likely Effects:

Potential effects identified include habitat loss or alteration, habitat/species fragmentation, disturbance and/or displacement of species, changes in population density, changes in water quality and introduction of invasive species. In the case of proposed development it is considered that there is the possible of effects in regards to changes in water quality and introduction of invasive species and that such merit further assessment.

8.2.6 Screening Statement and Conclusions:

It was concluded in screening assessment that significant effects cannot be ruled out on the Lough Corrib SAC (Site Code 000297) and that a Stage 2 Appropriate Assessment is required. In conclusion having regard to the foregoing, it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that significant effects cannot be ruled out and a Stage 2 Appropriate Assessment is therefore required.

8.3 Stage 2 Appropriate Assessment

8.3.1 The relevant sites are

Lough Corrib SAC (Site Code 000297), 140m from the site

8.3.2 Assessment of potentially direct and indirect effects:

Potential effects identified include introduction of invasive species during construction due movement of construction vehicles. Addition surface water run-off during and discharges to groundwater during the construction and operational phase has potential have a negative effect on water quality within the SAC and on the conservation status of aquatic habitats and species dependent on the water quality within such habitats. The report indicates that water quality in the Owenharriff River is recorded as being Q4-Q5 (High Status) upstream of the site and Q4 (Good Status downstream of the site).

Cumulative effects may arise in-combination with other plans and projects in the vicinity. It is pointed out that other proposals in the vicinity would be subject to the same requirement for Appropriate Assessment and would entail an assessment of significant effects and provision of mitigation measures in the case any development permitted. It is not considered that there will be in-combination effects with other plans and projects.

Mitigation measures are proposed including construction management measures to prevent the introduction of invasive species. A number of mitigation measures to protect water quality during the construction phased is outlined including sediment control on site, retention of existing vegetation, avoiding excavation work during wet weather, stockpiling material on site as far away from the river and measures to control/prevent discharge of polluting materials including concrete, fuel and lubricants. During optional phase mitigation measures include installation of a wastewater treatment system in compliance with EPA standards and effluent discharged will be treated effluent.

8.3.3 Cumulative effects may arise in-combination with other plans and projects in the vicinity including residential and commercial development in the vicinity. It was not considered that there will be in-combination effects with other plans and projects.

8.3.4 The appeal site is within short distance/within the drainage catchment of the Owenharriff River, which is part of the Lough Corrib SAC. It is considered by that the safe disposal of domestic effluent on site cannot be guaranteed as per in accordance with the EPA Code of Practice manual 2009. Accordingly, to grant the proposed development would be prejudicial to public health and result in an over proliferation of individual wastewater treatment systems at this location. Furthermore, to permit the development would pose an unacceptable risk to surface water and groundwater and have the potential have a significant effect on the integrity of the Lough Corrib SAC (000297), which is a Natura 2000 site protected under the Habitats Directive (92/43/EEC) both on an individual basis and cumulatively with other development serviced by individual wastewater treatment systems.

8.4 Appropriate Assessment Conclusions

8.4.1 On the basis of the information provided with the application and appeal, including the Natura Impact Statement, and in light of the assessment carried out above, I am not satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of the Lough Corrib SAC (Site Code 000297), in view of the site's Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission.

9.0 Recommendation

9.1 I recommend refusal based on the following reasons.

10.0 Reasons and Considerations

1. Having regard to the location of the site within an area under urban influence as identified in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such

as in the current case, which states that it is policy to “facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area...having regard to the viability of smaller towns and rural settlements”, it is considered that the applicant has not demonstrated an economic or social need to live in this rural area in accordance with national policy. The proposed development, in the absence of any definable or demonstrable need for the house, would contribute to the encroachment of random rural development in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, contravene the Ministerial Guidelines and be contrary to national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the safe disposal of domestic effluent on site cannot be guaranteed as per in accordance with the EPA Code of Practice Manual 2009. Accordingly, to grant the proposed development would be prejudicial to public health and result in an over proliferation of individual wastewater treatment systems at this location. Furthermore, to permit the development would pose an unacceptable risk to surface water and groundwater and have the potential have a significant effect on the integrity of the Lough Corrib SAC (000297), which is a Natura 2000 site protected under the Habitats Directive (92/43/EEC) both on an individual basis and cumulatively with other development serviced by individual wastewater treatment systems at this location. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Colin McBride
Planning Inspector

18th January 2021