



An  
Bord  
Pleanála

**Board Direction  
PL61.249409**

---

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 24<sup>th</sup> 2018.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

- 1 The subject site is located in the open countryside within an area subject to the zoning objective: "A" in the Galway City Development Plan 2017-2023, the objective of which is to encourage sustainable agricultural activities and to protect the rural character of the lands. Within this zone, it is the policy of the planning authority not to permit dwellings unless a convincing case of housing need is established or the applicant is an immediate member of a household residing in the area, a farmer, or an immediate member of a farming family. This policy is considered to be reasonable. Furthermore, the site is also located in an area which would correspond to the rural area type "Area under Strong Urban Influence", as set out in the Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government in April 2005, wherein it is indicated that it is policy to distinguish between rural-generated housing need and urban-generated housing need. On the basis of the documentation submitted in support of the application and the appeal, it is

considered that the applicant has failed to demonstrate an established local housing need for a dwelling at this location, in accordance with the Development Plan policy, and it is also considered that the proposed development would represent urban-generated rural housing, and that the applicant therefore would not come within the scope of the housing need criteria for a house in the rural countryside within an Area of Urban Influence. Accordingly, the proposed development would contravene materially the development objective included in the Galway City Development Plan 2017-2023, and be contrary to these Ministerial Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 2 The site is located within a fissured limestone area, and in close proximity to Lough Corrib, which is a European site under the Habitats and Birds Directives (site codes 000297 and 004042), and which is a source of public water supply for Galway City. On the basis of the documentation submitted with the application and appeal, the Board is not satisfied, notwithstanding the proposed use of a proprietary wastewater treatment system, that effluent from the proposed development can be safely disposed of, particularly having regard to the nature of the site conditions as indicated in the reports of the planning authority. The proposed development would, therefore, be prejudicial to public health, and the Board could not be satisfied that the proposed development, by itself and in combination with other development in the area, would not have a significant effect on these European sites, in the light of the conservation objectives for such sites. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. The subject site is located in a rural area of outstanding natural beauty, and is elevated over the adjoining Lough Corrib, and at the rear of an existing dwelling. It is considered that the proposed development, which entails the alteration of the existing landscape character and the clustering of residential

development that is suburban in character, by way of insertion of proposed development into the slope that rises behind and above the existing dwelling, would interfere with and diminish the natural beauty of the location. The proposed development would therefore be contrary to the proper planning and development of the area.

**Board Member**

**Date:**

25<sup>th</sup> January 2018

---

Philip Jones