



An
Bord
Pleanála

Board Direction
BD-002653-19
ABP-303122-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/03/2019.

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

Reasons and Considerations

1. Having regard to the location of the site within an area under strong 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, wherein it is policy to distinguish between urban-generated and rural generated housing need, and in an area where housing is restricted to persons demonstrating a definable social or economic need to live in the open countryside, in accordance with the Galway County Development Plan 2015 - 2021, 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 that he comes within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location in the open countryside, and that he has not demonstrated an economic or social need to live in this rural area in accordance with national policy and the Galway

County Development Plan 2015 - 2021, Furthermore, the Board is not satisfied that the applicant housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. 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, be contrary to national policy and conflict with the provisions of the current County Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is on a steeply elevated and visually prominent location overlooking Ballyturin Lough within a sensitive landscape. It is considered that the proposed development by reason of its siting and design would be dominant and obtrusive, seriously injurious to the rural landscape character and visual amenities of the area, would militate against the preservation of the rural environment and would set a precedent for further similar development in the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Note:

The Board had concerns that, when taken in conjunction with the high concentration of waste water treatment units in the area, the proximity to a number of private well water supply sources serving established dwellings in the vicinity and based on the details of the site suitability assessment provided in relation to the site, the proposed development, notwithstanding the use of the proposed proprietary treatment system, would give rise to an unacceptable pollution risk and would be prejudicial to public health, but decided not to include this as an additional reason having regard to the substantial reason for refusal above.

Board Member

Date: 22/03/2019

Stephen Bohan

[Please issue a copy of this Direction with the Board Order to the parties.]