



An
Bord
Pleanála

Board Direction
BD-003741-19
ABP-304339-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/08/2019.

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

Reasons and Considerations

1. The Board is not satisfied that the Local Authority has demonstrated that the proposal would not adversely affect the integrity of the European Sites, Lough Corrib SAC (Site Code 000297) and Lough Corrib SPA (Site Code 004042), in view of the sites' Conservation Objectives, as this proposal would entail site clearance, excavation and piling operations in proximity to the adjoining tributary of Owenriff River, which forms part of the Lough Corrib SAC, and which contains a population of Freshwater Pearl Mussel downstream of the confluence of these two watercourses. In addition, it is concluded that there is a lack of surveys of mammals, birds or other aspects of biodiversity along the stream channel where there is potential for local or nearby Otter, Badger and bat presence and usage of the site. In overall conclusion, the Board is not satisfied that the proposed development would not adversely affect the integrity of the above-mentioned European Sites in view of the sites'

Conservation Objectives. In such circumstances, the Board is precluded from approving the proposed development.

2. The Ministerial Guidelines, "Sustainable Residential Development In Urban Areas -Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in May, 2009, recommends a sequential and co-ordinated approach to residential development, whereby undeveloped lands closest to the core and public transport routes be given preference. Notwithstanding the residential zoning objective for the site within the expired Local Area Plan, it is considered that the site is located in an area which is remote and isolated from the village core and its development would not be in line with the orderly expansion of the settlement. Having regard to the lack of a pedestrian linkage and the excessive walking distance to the centre of Oughterard, the absence of public transport to the village centre and the lack of social and community facilities in the vicinity, it is considered that the proposed development would be excessively car dependent and would, therefore, be contrary to the Ministerial Guidelines and to the proper planning and sustainable development of the area.

3. The proposed development, by reason of its inadequate qualitative and quantitative provision of communal open space, and the uneven distribution of plot sizes and associated private open spaces, would give rise to a substandard form of development that would conflict with the provisions of the current Development Plan for the area and with the minimum standards recommended in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in May, 2009. Furthermore, the proposal would constitute a car dominant layout that would militate against an attractive pedestrian environment and would generate additional traffic turning movements at a junction onto a national road where adequate sightlines have not been demonstrated. The proposed development would seriously injure the residential amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 08/08/2019

Chris McGarry