



An
Bord
Pleanála

Board Direction
BD-006508-20
ABP-307033-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/09/2020.

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 outside the settlement boundary for the village of Bearna, within an unserviced area, it is considered that the proposed development would result in and exacerbate a pattern of haphazard development at this location outside of the town area, and would by itself and by the precedent it would set for similar such development, militate against the consolidation of the adjoining settlement including the more efficient use of services and infrastructure within this settlement and would contribute to the encroachment of random development, resulting in urban sprawl into the countryside at this location. The proposed development would therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development by reason of its design and siting would constitute an inappropriate design response to the existing context of the site, would result in discordant development which would be unduly obtrusive and would seriously injure established residential and other amenities of properties in the vicinity. In this regard the proposed development would contravene the relevant provisions of the Galway County Development 2015-2021, including

Objectives RHO9, LCM 1 and LCM 2 and DM Standard 6. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note 1: The Board noted the third reason for refusal recommended by the Inspector that, taken in conjunction with existing development in the vicinity the proposed development would result in an excessive concentration of development served by individual wastewater treatment systems in the area and that on the basis of the information submitted with the application, specifically with regard to the location and form of existing wastewater treatment systems in the vicinity, the Board is not satisfied that the proposed development would not have significant adverse impacts on groundwater and that the proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area. However, given that this would constitute a new issue within the context of the appeal and noting the substantive reasons for refusal set out above, it was decided not to pursue further in this appeal.

Note 2: The Board noted that the site of the proposed development is located within an “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. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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. Having regard to the documentation submitted with the application and appeal, the Board was not satisfied that the applicant has a demonstrable economic or social need to live in this rural area, nor that the housing needs of the applicant could not be met in an adjoining town or other settlement. It was considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location and that the proposed development would, therefore, be contrary to the Ministerial Guidelines

and to the over-arching national policy. However, given that this would constitute a new issue within the context of the appeal and noting the substantive reasons for refusal set out above, it was decided not to pursue further in this appeal.

Board Member

Date: 21/09/2020

Chris McGarry