

An
Bord
Pleanála

Board Direction
BD-012160-23
ABP-312500-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/05/2023.

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

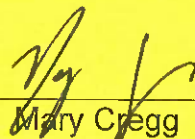
Reasons and Considerations

1. The 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 documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area. It is 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. The proposed development would therefore be contrary to the provisions of the current Galway County Development Plan 2022 – 2028, to the Ministerial Guidelines and to national policy, would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would, therefore, be contrary to the proper planning and sustainable development of the area.

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2. Having regard to the level of water in the trial hole, which is indicative of a high water table and/or low permeability, and to the contents of the Site Assessment, on the basis of the information available in the planning application and the appeal submission, the Board is not satisfied that the site is capable of treating foul effluent arising from the proposed dwelling, in accordance with the standards set out in the Code of Practice for Wastewater Treatment and Disposal Systems serving Single Houses (Environmental Protection Agency 2009) and considers that the method of foul water disposal will render the treatment of the effluent unacceptable and could increase the risk of serious water pollution. The proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member



Mary Clegg

Date: 15/05/2023



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