

**An  
Bord  
Pleanála**

**Board Direction  
BD-012041-23  
ABP-312662-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/04/2023.

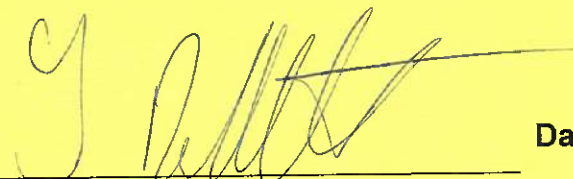
The Board decided to refuse permission, generally in accordance with the Inspector's recommendation. In addition to the Inspector's recommendation, the Board was not satisfied that the applicant had demonstrated compliance with the planning authority's rural housing policy, the Board decided, therefore, to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

1. It is an objective of the Galway County Development Plan 2022-2028 LCM1 to preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the planning authority the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest. It is considered that the construction of a house on the site, by reason of its exposed location and sensitivity in a scenic category 3 special coastal landscape and visible from the Maritime Scenic Route would represent an obtrusive development which would negatively impact on the landscape. The proposed development would contravene materially established objectives set out in the development plan and would therefore be contrary to the proper planning and sustainable development of the area.

2. The applicant has failed to demonstrate the suitability of the site, which is located in close proximity to the seashore, to dispose of domestic effluent in accordance with the EPA Code of Practice for Domestic Waste Water Treatment Systems (March 2021). The Board is not satisfied, therefore, that the proposed development would not be prejudicial to public health.
  
3. It is a policy objective of the planning authority, as stated in objective RC 2, to manage the development of rural housing in the open countryside by requiring applicants to demonstrate compliance with the Rural Housing Policy Objectives as outlined in Section 4.6.3 of the Galway County Development Plan 2022-2028, this policy objective is considered reasonable. The proposed development is located in an area where policy objective 'RH 4 Rural Housing Zone 4' requires an applicant seeking to construct a rural house in the open countryside to demonstrate their demonstrable economic or social Rural Links or Need, as indicated in the said section 4.6.3. The Board is not satisfied that the applicant has demonstrated compliance with policy objective RH 4 as the proposed dwelling is not the applicant's first home (with reference to requirements indicated in sections 1(a), 1(b), 1(d) and 1(e) of RH 4) nor has the applicant satisfactorily demonstrated an economic need on the immediate area of the proposed dwelling (with reference to section 1(c) of RH 4). The proposed development would, therefore, conflict with policy objectives RC 2 and RH 4 and would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

  
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Tom Rabbette

**Date:** 19/04/2023