



An
Bord
Pleanála

Board Direction
BD-012500-23
ABP-312930-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/06/2023.

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

Reasons and Considerations

1. Policy Objective LCM 1 of the Galway County Development Plan 2022-2028 seeks 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. The Board agreed with the determination of the planning authority that the proposed development, by reason of its scale, design and siting on a substantially elevated coastal site, having regard to the sensitivity of the site in a category 3 special coastal landscape, would represent an inappropriate development of the site and would result in a built form that would not integrate effectively into this rural location. The proposed development would contravene materially policy objectives LCM 1, LCM2 and LCM 3 and Development Management Standard DM8 of the Galway County Development Plan 2022-2028. To grant the proposed development would interfere with the character of the landscape, would detract from the visual amenity of the area, would militate against the preservation of the rural environment, would contravene materially development objectives and a development management standard contained in Galway County

Development plan 2022-2028, and would therefore be contrary to the proper planning and sustainable development of the area.

2. 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, within an area identified as a 'Rural area under Strong Urban pressure' (Rural Housing Zone 2 Galway County Transportation and Planning Study Area (GCTPS), in Map 4.1 and 4.2 of the Galway County Development plan 2022-2028) 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. The site is also in an area designated as Rural Housing Zone 4 in Map 4.2 Rural Housing Policy of Galway County Development plan 2022-2028. Policy Objectives RH 2 and RH 4 of the Galway County Development Plan 2022-2028, in line with National Policy Objective 19 of the National Planning Framework, seeks to prevent inappropriate new dwellinghouses unless there is an acknowledged local rural generated housing need. 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 rural 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 Galway County Development plan 2022-2028 and in Ministerial Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, to the provisions of the current Galway County Development Plan 2022-2028, would contribute to the encroachment of random rural development in the area, and would be contrary to the proper planning and sustainable development of the area.
3. Sightlines have not been satisfactorily demonstrated from the proposed entrance of the site on to the public road, and the proposed development if granted would

interfere with the freeflow of the traffic on the public road and would endanger public safety by reason of traffic hazard.

Note 1: The Board disagreed with the Inspector that the proposal was acceptable in terms of its siting and its impact on the character of the landscape and the visual amenity of the area, particularly in terms of views from the public road and from across the water, having regard to the statutory landscape objectives of the Galway County Development Plan 2022-2028.

Note 2: The Board noted that the posted speed limit at the location of the appeal site is 80km per hour and the sight distances required for access onto the road as set out under DM Standard 28 (Table 15.3) of the Galway County Development Plan 2022-2028. The Board further noted that DM Standard 28 of Galway County Development plan 2022-2028 states that *'on narrow local roads with poor horizontal and vertical alignment and where the 80 km/h speed limit applies, the design speed applied for access visibility requirements should be the speed (km/h) that one can drive the road in a safe manner. This can be assessed as the 85th percentile speed drivers travel on the road. The visibility will then be assessed on the 85th percentile speed for that road'*. In this regard, the Board did not share the view of the Inspector that a design speed of 50km per hour would be an appropriate benchmark at this location, noting in particular that no supportable evidence is provided within the application and appeal documentation to underpin such a conclusion.

Board Member


Mary Cregg

Date: 18/07/2023

