

**An
Bord
Pleanála**

**Board Direction
BD-015386-24
ABP-315846-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/02/2024.

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 Policy Objective RC 2 Rural Housing in the Countryside of the Galway County Development Plan 2022-2028 that seeks to manage the development of rural housing in the open countryside by requiring applicants to demonstrate compliance with Rural Housing Policy Objectives and specifically policy objective RH 4 that sets out qualifying criteria for those with a genuine rural generated housing need seeking to construct a dwelling house within the Rural Housing Zone 4, it is considered that the applicant has not sufficiently demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with policies and objectives of the Development Plan. The proposed development 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 contravene the provisions of the Development Plan. The proposed development 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 open and exposed designated Class 3 landscape with sensitivity rating of special and high sensitivity to change. Noting the sensitivities of this Class 3 landscape and the site context and in the absence of a visual impact assessment, the development as proposed including the proposed dwelling and associated office and equipment store, access road and surface treatment, and in the absence of a landscaping proposal would not assimilate effectively into this sensitive rural landscape. The proposal would therefore contravene Policy Objectives LCM 1 and LCM 2, RH9 and DM Standards 8, 11, 29 and 46 contained in the Galway County Development Plan, 2022-2028. 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 development plan policy objectives and development management standards contained in the current county development plan, and therefore would be contrary to the proposed planning and sustainable development of the area.

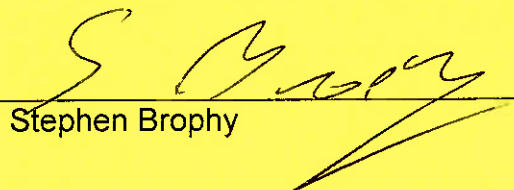
3. In the absence of satisfactory details submitted on file relating to the consent from Irish Water or the Secretary of the Group Water Scheme to connect to the water mains to serve the proposed development, it is considered that the development if permitted as proposed would pose a serious risk to the public health of persons occupying this dwelling house, would be contrary to Development Management Standard 36 and 37 of the Galway County Development Plan, 2022-2028 and therefore, would be contrary to the proper planning and sustainable development of the area.

4. Having regard to the location of the subject site within the Inishbofin and Inishshark SAC (site code 000278) and proximate to the Inishbofin, Omey Island and Inishturbot SPA (site code 004231), and having regard to the information provided with the application the board is unable to determine whether the proposed accommodation and wastewater treatment system is likely to have a significant effect on the SAC and the SPA. The implications of the proposed development for

the conservation objectives of Inishbofin and Inishark SAC, as defined by its attributes and targets and Inishbofin Omey island and Inishturbot SPA are unclear. The board is therefore unable to ascertain the proposed development will not adversely affect the integrity of the sites and in such circumstances is unable to grant planning permission

In relation to the safe disposal of domestic effluent on site, the Board noted the views of the Local Authority and the Board's inspector, but having regard to the submitted site characterisation report and associated documentation, the Board considered that the development would be unlikely to be prejudicial to public health; however in the context of the above substantive reasons for refusal, the Board decided not to consider this issue further at this time.

Board Member


Stephen Brophy

Date: 09/02/2024