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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 18/700**

**APPEAL** by Francis Bannon of Ballynamanagh, Clarinbridge, County Galway against the decision made on the 23<sup>rd</sup> day of July, 2018 by Galway County Council to grant subject to conditions permission to Conor Tarpey care of Oliver Higgins Chartered Engineers of Unit 4B Oranmore Business Park, Oranmore, County Galway.

**Proposed Development:** Construction of a dwellinghouse, domestic garage and a proprietary treatment system and all ancillary works, at Ballynamanagh East Townland, Ballynamanagh, Clarinbridge, County Galway.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

**Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

The site of the proposed development is located within the Galway Transportation and Planning Study Area, is subject to '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 and within Rural Housing Zone 1 to which Objective RHO 1 of the Galway County Development Plan 2015-2021 where development of a dwelling is restricted to persons who satisfy specific criteria that demonstrates genuine rural housing need. Furthermore, the site of the proposed development is located within the area type "Area of Urban Influence" as set out in the said Guidelines wherein it is policy to distinguish between urban generated housing need and rural generated housing need for dwellings in rural locations. On the basis of the submissions made in connection with the planning application and the appeal, it is considered that the proposed development constitutes urban generated housing as the applicant is in ownership of an existing dwelling within the settlement of Clarinbridge to which residential development is directed. The proposed development would, therefore, materially contravene a development objective of the Development Plan and would be contrary to Ministerial Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**

Decision Quashed