



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 19/804

APPEAL by Michael Carr of Ballyvoher, Roo, Gort, County Galway against the decision made on the 17th day of July, 2019 by Galway County Council to grant subject to conditions a permission to Brendan Cummins care of Patrick Fahey of Cloone, Gort, County Galway.

Proposed Development: Construction of a dwellinghouse, domestic garage, proprietary treatment system and percolation area and for all ancillary services and site works at Roo, Gort, 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

Having regard to the location of the site of the proposed development which is within a “Rural Area under Strong Urban Pressure” as set out in the Galway County Development Plan 2015 - 2021, and to the National Policy Objective 19 as set out in 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 viability of smaller towns and rural settlements”. The Board is not satisfied, having regard to the documentation submitted with the application and the appeal, including the described employment of the applicant, that the applicant has a demonstrable economic or social need to live at this site within this rural area, or that the applicant’s housing need could not be satisfactorily met within an established smaller town or village/settlement centre. It is considered that the applicant does not come within the scope of the housing need criteria as set out in national policy for a house at this location, notwithstanding the provisions of the Galway County Development Plan 2015 – 2021, and that the proposed development would be contrary to the overarching national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the full content of the application and the appeal, including the employment of the applicant, as stated in the application documentation, and considered that, on the basis of the overall information submitted with the application and the appeal, and in conjunction with over-arching national policy, the provision of a house for the applicant at this specific location would be contrary to the proper planning and sustainable development.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020