



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 19/870

APPEAL by Aoife Kilbane care of Leahy Planning Limited of Mill House, Mill House Road, Ennis, County Clare against the decision made on the 30th day of July, 2019 by Galway County Council to refuse outline permission.

Proposed Development: 1. Construction of a dwellinghouse/garage and associated site works. 2. Construction of a tertiary wastewater treatment installation to serve dwellinghouse at Knockaunnacarragh, Barna, County Galway.

Decision

REFUSE outline 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

1. Having regard to the location of the site within an area under urban influence as identified in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework, adopted by the Government, in relation to rural areas under urban influence, such as in the current case, which states that it is policy 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”, it is considered that the applicant has not demonstrated an economic or social need to live in this rural area in accordance with national policy. The proposed development, in the absence of any definable or demonstrable need for the house, would contribute to the encroachment of random rural development in the area, and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, contravene the Ministerial Guidelines and be contrary to national policy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would entail the provision of a dwelling to be serviced by an individual wastewater treatment system at an unserved rural location. The proposed development would give rise to the provision of another such system in an area where there is a high water table level and where the proposed development would give rise to a proliferation of wastewater treatment systems and would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.