



---

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 19/1751**

**APPEAL** by Ronan Fleming and Ines Thiele of Cregcarragh, Claregalway, County Galway against the decision made on the 9<sup>th</sup> day of January, 2020 by Galway County Council to refuse permission to the said Ronan Fleming and Ines Thiele.

**Proposed Development** Dwelling house, new septic tank/treatment plant with percolation area and all associated site works at Cloon, Claregalway, 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**

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 a house at this location, 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 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 existing road serving the site is substandard in width and alignment and would generate additional traffic with potential conflict between such additional traffic and existing agricultural traffic using the road. It is considered that the proposed development would endanger public safety by reason of traffic hazard due to the additional traffic movements that would be generated onto the minor local road (which is in extremely poor condition) directly serving the site which is substandard in width and alignment. Furthermore, it is considered that the proposed development would contribute to a pattern of unsustainable housing development along the local road in a rural area lacking sufficient infrastructure provision, which would militate against the preservation of the rural environment, and lead to demands for the uneconomic provision of further services and community facilities and unsustainable travel patterns to access such services and facilities. The proposed development would, therefore, be 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            2020.**