



Planning and Development Acts 2000 to 2020

Planning Authority: Galway County Council

Planning Register Reference Number: 20/966

APPEAL by Rhona Ní Chearbhaill care of de Blacam and Meagher Architects of 4 Saint Catherine's Lane West, Dublin against the decision made on the 8th day of September, 2020 by Galway County Council to refuse permission.

Proposed Development: Don fhorbairt lena na-áirítear teach cónaithe aon stór amháin, bealach nua isteach sa suíomh agus cabhsán, tírdhreachú mar aon le córas cóireála fuíolluisce. Spás urláir comhlán na n-oibreacha beartaithe: 208 square metres

An Pointe, An Cheathrú Rua, Chontae na Gaillimhe.

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. The site of the proposed development is located within an “Area Under 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, wherein it is policy to distinguish between urban-generated and rural-generated housing need, and within a Rural Area under Strong Urban Pressure, according to the Galway County Development Plan 2015-2021. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, published by Government in February 2018, 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. Having regard to the location of the site outside the settlement boundary for the village of Carraroe, within an unserviced area, it is considered that the proposed development would result in and exacerbate a pattern of haphazard development at this location outside of an urban area, and would by itself and by the precedent it would set for similar such development, militate against the consolidation of the adjoining settlement including the more efficient use of services and infrastructure and would contribute to the encroachment of random development into

the countryside at this location. Furthermore, having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live at this specific site in this rural area or that the applicant's housing needs could not be satisfactorily met in an established town or settlement centre. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines, to the over-arching national policy, and to the provisions of the Galway County Development Plan 2015-2021. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the application and appeal, specifically with regard to the location and form of existing wastewater treatment systems in the vicinity, the Board is not satisfied that the proposed development, taken in conjunction with existing development in the vicinity, would not result in a proliferation of development served by individual wastewater treatment systems in the area and would not have significant adverse impacts on groundwater. The proposed development, would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2021.