An Bord Pleanála

Ordú Boird

Board Order

ABP-308839-20.

na hAchtanna um Pleanáil agus Forbairt 2000 go 2020

Planning and Development Acts 2000 to 2020

Údarás Pleanála: Click here to enter text

Planning Authority: Galway County Council

Uimhir Thagartha i gClár Pleanála: Click here to enter text

Planning Register Reference Number: 20/1337.

Uimhir Thagartha an Bhoird Phleanála: Click here to enter text

An Bord Pleanála Reference Number: ABP-308839-20.

Achomharc ó Ronan O'Ceallaigh faoi chúram Noel Kelly as Cor na Rón, Indreabhán, Contae na Gaillimhe i gcoinne an chinnidh a rinne Comhairle Contae na Gaillimhe an 10ú lá de Shamhain, 2020, cead a dhiúltú don fhorbairt a bheartaítear.

Appeal by Ronan O'Ceallaigh care of Noel Kelly of Cornarone, Inverin, County Galway against the decision made on the 10th day of November, 2020 by Galway County Council to refuse permission for the proposed development.

An Fhorbairt Bheartaithe:
forbairt lena n- áirítear teach cónaithe, garáiste, seirbhísí agus córas coireála Kingspan Environmental a thógáil. Spás urláir comhlán na n-oibreacha beartaithe: 227.6 méadar cearnach, 45 méadar cearnach, at Doire Locháin Thoir, An Spidéal, Contae na Gaillimhe.

Proposed Development:
development to include the construction of a dwellinghouse, garage, services and Kingspan Environmental Treatment System Gross floor space of proposed works: 227.6 square meters, 45 square meters, at Derryloughan East, An Spidéal, County Galway.

An Cinneadh

Cead a DHIÚLTÚ don fhorbairt bheartaithe thuasluaite de réir na gcúiseanna agus na nithe atá leagtha amach thíos

Decision

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

Na Nithe a Cuireadh san Áireamh

Agus a chinneadh á dhéanamh aige, thug an Bord aird ar na hábhair sin a raibh sé de cheangal orthu, de bhua na nAchtanna um Pleanáil agus Forbairt agus na Rialachán a rinneadh fúthu, aird a thabhairt orthu. Áiríodh ar ábhair den sórt sin aon aighneachtaí agus barúlacha a fuair sé de réir fhorálacha reachtúla.

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.

Na Cúiseanna agus Tuisceanna

1. Ag féachaint do shuíomh an láithreáin i gceantar tuaithe faoi thionchar láidir uirbeach mar a shainaithnítear sna “Treoirlínte um Thithíocht Tuaithe Inbhuanaithe d’Údaráis Phleanála” a d’eisigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil in Aibreán, 2005, agus do Chuspóir Beartais Náisiúnta 19 den Chreat Náisiúnta Pleanála (Feabhra 2018) a fhéachann, do cheantair thuaithe faoi thionchar uirbeach, amhail an cás reatha, chun soláthar tithíochta aonair faoin tuath a éascú bunaithe ar an mbreithniú lárnach ar riachtanas eacnamaíoch nó sóisialta inléirithe dul chun cónaithe sa cheantar tuaithe, ag féachaint d’inmharthanacht bailte níos lú agus lonnaíochtaí tuaithe, agus trí thagairt d’fhorálacha tithíochta tuaithe Phlean Forbartha Contae reatha na Gaillimhe, meastar nár léirigh an t-iarratasóir dóthain riachtanais eacnamaíochta nó sóisialta chun dul chun cónaithe sa cheantar tuaithe seo ag féachaint d’inmharthanacht bailte níos lú agus lonnaíochtaí tuaithe de réir an bheartais náisiúnta. Maidir leis seo,

Reasons and Considerations

1. Having regard to the location of the site within a rural area under Strong 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 (February 2018) which, for rural areas under urban influence, such as the current case, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in the rural area, having regard to the viability of smaller towns and rural settlements, and by reference to the rural housing provisions of the current Galway County Development Plan, it is considered that the applicant, has not sufficiently demonstrated an economic or social need to live in

níl an Bord sásta nach bhféadfaí freastal go sásúil ar riachtanais tithíochta an iarratasóra i mbaile nó sráidbhaile/ionad lonnaíochta seanbhunaithe. Dá bhrí sin, ní chomhlíonann an fhorbairt a bheartaítear Cuspóir Beartais Náisiúnta 19, forálacha Threoirlínte 2005 ná Cuspóir RHO4 de Phlean Forbartha Contae na Gaillimhe 2015-21, ghéaródh sé ar chúngach ó fhorbairt tuaithe randamach sa cheantar agus chuirfeadh sí bac ar chaomhnú thimpeallacht na tuaithe agus ar sheirbhísí agus bonneagar poiblí a sholáthar go héifeachtúil. Bheadh an fhorbairt a bheartaítear, dá bhrí sin, contrártha le treoirlínte an Aire agus le pleanáil cheart agus forbairt inbhuanaithe an cheantair.

this rural area having regard to the viability of smaller towns and rural settlements in accordance with national policy. In this regard, the Board is not satisfied that the applicant’s housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. Therefore, the proposed development does not comply with National Policy Objective 19, the provisions of the 2005 Guidelines and Objective RHO4 of the Galway County Development Plan 2015-21, 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, be contrary to the ministerial guidelines and to the proper planning and sustainable development of the area.

2. Ag féachaint don mhaoschlár ard ar an láithreán agus don fhaisnéis atá leagtha amach sa tuarascáil ar thréithriú an láithreáin a cuireadh isteach leis an iarratas, níl an Bord sásta, bunaithe ar na haighneachtaí a rinneadh i ndáil leis an iarratas agus leis an achomharc, nach mbeadh tionchar suntasach diúltach ag an fhorbairt a bheartaítear, i dteannta leis an bhforbairt atá ann cheana sa chomharsanacht, ar an gcomhshaol agus nach bhfeicfí mar thoradh air leathadh agus comhchruinniú forbairtí sa limistéar, a ndéanfadh córais chóireála fuíolluisce freastal orthu agus a bheadh ag doirteadh isteach sa screamhuisce. Meastar, mar sin, go ndéanfadh an fhorbairt a bheartaítear dochar do shláinte an phobail.

2. Having regard to the high water table on site and the information set out in the site characterisation report submitted with the application, the Board is not satisfied, based on the submissions made in connection with the application and the appeal, that the proposed development, taken in conjunction with existing development in the vicinity, would not significantly and negatively impact on the environment and would not result in an excessive proliferation and concentration of developments in the area served by wastewater treatment systems and discharging to the groundwater. It is considered, therefore, that the proposed development would be prejudicial to public health.

3. Dhéanfadh an fhorbairt a bheartaítear, i dteannta leis an bhforbairt atá ann cheana i gcomharsanacht an láithreáin, comhdhlúthú agus rannchuidiú le

3. The proposed development, when taken in conjunction with existing development in the vicinity of the site, would consolidate and contribute to

tógáil agus comhtháthú na forbartha ribín sa cheantar tuaithe oscailte seo. Bheadh an fhorbairt a bheartaítear ag dul i gcoinne chaomhnú na timpeallachta tuaithe agus mar thoradh air sin bheadh éilimh ar sheirbhísí poiblí agus saoráidí pobail breise a sholáthar. Bheadh an fhorbairt a bheartaítear, dá bhrí sin, contrártha leis na "Treoirlínte um Thithíocht Tuaithe Inbhuanaithe d'Údaráis Phleanála" a d'eisigh an Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil in Aibreán, 2005 agus le pleanáil cheart agus forbairt inbhuanaithe an cheantair.

the build-up and coalescence of ribbon development in this open rural area. The proposed development would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April, 2005 and to the proper planning and sustainable development of the area.

Ball den Bhord Pleanála a bhfuil Údarás aice séala an Bhord a fhíordheimhniú	**Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.**

Dátaithe ar an **lá seo de** **2021**

Dated this **day of** **2021**