



Planning and Development Acts 2000 to 2020

Planning Authority: Galway County Council

Planning Register Reference Number: 20/1493

APPEAL by Gerry Brennan care of James O'Donnell of Planning Consultancy Services, Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 2nd day of December, 2020 by Galway County Council to refuse permission.

Proposed Development: Construction of a dwelling house, waste water treatment plant and polishing filter, garage and all associated site works at Cregboy, 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

Having regard to the location of the site within a rural area under urban influence, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, 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 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 a rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19 and the applicant does not come within the scope of the housing need criteria set out in the Galway County Development Plan 2015-2021. The proposed development 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 provisions of the National Planning Framework. 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 was not satisfied that the applicant comes within the scope of the housing need criteria for the rural area set out in the Galway County Development Plan 2015-2021, neither has the applicant demonstrated adequate compliance with National Policy Objective 19 of the National Planning Framework (February 2018). Furthermore, the Board noted the Inspectors concerns relating to the concentration of individual wastewater treatment systems in the vicinity of the site and, therefore, were not satisfied that the proposed development would not be prejudicial to public health.



Stephen Bohan

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

Dated this 4th day of May 2021