

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 21/2309

APPEAL by Conor Lee care of Emer Maughan of Castle Road, Creganna, Oranmore, County Galway against the decision made on the 8th day of February, 2022 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Construction of a new single storey house, single storey garage, proprietary wastewater treatment system, new vehicular entrance and all ancillary site works at Ballymananagh East, Clarinbridge, County Galway.

Decision

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

Reasons and Considerations

1. Policy Objective LCM 1 of the Galway County Development Plan 2022-2028 seeks to preserve and enhance the character of the landscape where, and to the extent that, in the opinion of the planning authority, the proper planning and sustainable development of the area requires it, including the preservation and enhancement, where possible of views and prospects and the amenities of places and features of natural beauty or interest. The Board agreed with the determination of the planning authority that the proposed development, by reason of its scale, design and siting on a substantially elevated coastal site, having regard to the sensitivity of the site in a category 3 special coastal landscape, would represent an inappropriate development of the site and would result in a built form that would not integrate effectively into this rural location. The proposed development would contravene materially policy objectives LCM 1, LCM 2 and LCM 3 and Development Management Standard DM Standard 8 of the Galway County Development Plan 2022-2028. To grant the proposed development would interfere with the character of the landscape, would detract from the visual amenity of the area, would militate against the preservation of the rural environment, would contravene materially development objectives and a development management standard contained in Galway County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

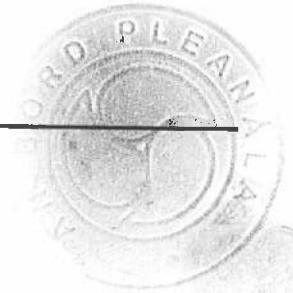
2. The site of the proposed development is located within an "Area Under Strong Urban Influence" as set out in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005.
- Furthermore, the subject site is located in an area that is designated under urban influence, within an area identified as a 'Rural area under Strong Urban pressure' (Rural Housing Zone 2 Galway County Transportation and Planning Study Area (GCTPS), in Map 4.1 and 4.2 of the Galway County Development Plan 2022-2028) where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, 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. The site is also in an area designated as Rural Housing Zone 4 in Map 4.2 Rural Housing Policy of Galway County Development Plan 2022-2028. Policy Objectives RH 2 and RH 4 of the Galway County Development Plan 2022-2028, in line with National Policy Objective 19 of the National Planning Framework, seeks to prevent inappropriate new dwellinghouses unless there is an acknowledged local rural generated housing need. 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 rural need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Galway County Development Plan 2022-2028 and in Ministerial Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, to the provisions of the current Galway County Development Plan 2022-2028, would contribute to the encroachment of random rural development in the area and would be contrary to the proper planning and sustainable development of the area.

3. Sightlines have not been satisfactorily demonstrated from the proposed entrance of the site on to the public road, and the proposed development if granted would interfere with the free flow of the traffic on the public road and would endanger public safety by reason of traffic hazard.



Mary Cregg

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



Dated this 1ST day of August 2023.