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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 21/2113**

**APPEAL** by Tom Howley of Shanaghmoyle, Knock, Claremorris, County Mayo against the decision made on the 26<sup>th</sup> day of May, 2022 by Galway County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of a dwelling house, garage, effluent treatment system, percolation area and all associated works at Curry Oughter Townland, Cummer, Tuam, County Galway.

## **Decision**

**REFUSE** permission for the above proposed development for the reasons and considerations set out below.



## Reasons and Considerations

Having regard to:

- (a) the location of the site within the Galway County Transport and Planning Study Area, an area identified as being under strong urban pressure in the Galway County Development Plan 2022 – 2028;
- (b) the provisions of the Galway County Development Plan 2022 - 2028, in particular policy objective 'RH2' which states that in the Galway County Transport and Planning Study area, rural housing proposals will be facilitated in accordance with the criteria laid down within the aforementioned policy 'RH2' and subject to compliance with normal planning and environmental criteria;
- (c) National Policy Objective 19 of the National Planning Framework (2018) which, for rural areas under strong urban influence, seeks to facilitate rural housing proposals based on the core consideration of demonstrable economic or social need to live in the rural area, and siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements; and
- (d) the documentation on file submitted with the planning application and the appeal,

it is considered that, in the absence of a demonstrated housing need at this location, the proposed development would result in a haphazard and unsustainable form of development, 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 proper planning and sustainable development of the area.



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**Liam Bergin**

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

**Dated this 28 day of August 2023.**