



An
Bord
Pleanála

Ordú Boird
Board Order
ABP-314929-22

Na hAchtanna um Fhorbairt agus Pleanáil 2000 go 2022

Planning and Development Acts 2000 to 2022

Údarás Pleanála: Comhairle Contae na Gaillimhe

Planning Authority: Galway County Council

Uimhir Thagartha an Chláir Pleanála: 212193

Planning Register Reference Number: 212193

ACHOMHARC ó grúpa pobail Phobal Bhearna faoi chúram Dermot Corcoran of An Chéibh, Bearna, Contae na Gaillimhe, agus Daoine Eile, in aghaidh an chinnidh a rinne Comhairle Contae na Gaillimhe an 3^ú lá de Dheireadh Fómhair chun cead a dheonú, faoi réir coinníollacha do Jim agus Tom Cunningham faoi chúram Collins Boyd Engineers and Architects as Bóthar na Gaillimhe, Ros Comáin, Contae Ros Comáin.

An Fhorbairt atá Beartaithe: chun seo a leanas: Foirgnimh úsáide measctha – cúig uimhir: 12 uimh, árasán aon leaba (Achar urláir comhlán 763 méadar cearnach) ceithre uimhir árasán dhá sheomra leapa (Achar urláir comhlán 475 méadar cearnach) sé uimhir árasán trí sheomra leapa (Achar urláir comhlán 615 méadar cearnach) aon uimhir caifé/bialann (Achar urláir comhlán 79 méadar cearnach) dhá uimhir Aonad Miondíola/Tráchtála (Achar urláir comhlán 196 méadar cearnach) Seomraí stórála coimhdeacha agus gléasraí (Achar urláir comhlán 111 méadar cearnach) seacht dteach baile comhdhéanta de: ceithre uimhir theach dhá sheomra leapa (Achar urláir comhlán 395 méadar cearnach) trí uimhir theach trí-sheomra leapa (Achar

urláir comhlán 407 méadar cearnach) Promanáid cois farraige lena n-áirítear páirc chósta agus clós súgartha Bóithre rochtana agus 56 uimhir spás páirceála dromchla. Ceangailte leis na séaraigh phoiblí, uisce storime, príomhphiobán uisce agus seirbhísí uisce, lena n-áirítear gach obair choimhdeach láithreáin eile, ag Rinn na Mara, Chontae na Gaillimhe.

An Cinneadh

Cead don fhorbairt thuas atá beartaithe a DHIÚLTÚ i gcomhréir leis na cúiseanna agus na cúrsaí atá leagtha amach thíos.

Cúiseanna agus Cúrsaí

1. Ag féachaint do Chuspóir Criosaithe C1 lár baile/tráchtála de chuid Phlean Forbartha Chontae na Gaillimhe 2022-2028, a bhaineann leis an limistéar sin den láithreán atá beartaithe chun soláthar a dhéanamh ann d'fhorbairt ilchineálach agus tithe baile agus an fhorbairt ghaolmhar, meastar nach gcomhlíonfadh an cóimheas idir forbairt chónaithe agus forbairt thráchtála an cuspóir criosaithe seo don láithreán, i ngeall ar fhorbairt chónaithe a bheith san uachtar go mór ann. Ina theannta sin, theipfeadh air an cuspóir sonraithe den chriosú a bhaint amach trína bhféachtar le lár an bhaile atá ann faoi láthair a fhorbairt agus a chomhdhlúthú agus a bheogacht a fheabhsú le dlús a chur le forbairtí chuí tráchtála agus cónaithe trína gcinnteofaí meascán d'úsáidí tráchtála, áineasa agus cathartha. In éagmais meascán d'úsáidí oiriúnacha cainníochtúla agus cáilíochtúla, sháródh an fhorbairt mar atá beartaithe cuspóir criosaithe C1 go hábhartha agus, mar sin, bheadh sé contrártha le pleanáil chuí agus forbairt inbhuanaithe an cheantair.

2. Is é aidhm Chuspóir BSMP 7 de Phlean Forbartha Chontae na Gaillimhe 2022-2028 tacú le cruthú Pháirc Taitneamhachta Cósta chun freastal ar riachtanais áineasa agus taitneamhachta phobal Bhearna, chun comhéadan poiblí cuí a sholáthar idir an sráidbhaile agus an cósta agus chun pointe fócasach agus suíomh tarraingteach a chruthú do thurasóireacht ardchaighdeáin agus d'fhorbairt ilchineálach ar thailte in aice láimhe. Ina theannta sin, is é aidhm Chuspóir BSMP 9 den phlean forbartha a chinntiú go gcuirfear foirgnimh siar 30 méadar i gcoitinne ó líne teorann páirce an urthrá chun soláthar a dhéanamh chun páirc taitneamhachta cósta agus promanád cois farraige a fhorbairt, lena n-áirítear rotharbhealach, clós/clóis súgartha do leanaí agus spás tírdhrechtaithe taitneamhachta. Cé gur soláthraíodh laistigh den deardh agus den leagan amach atá beartaíte gnéithe den pháirc taitneamhachta cósta agus den phromanáid cois farraige a shamhlaítear leis na cuspóirí thuasluaite, meastar go n-ionchorpraítear i ndeardh agus i leagan amach na forbartha mar atá beartaithe, laistigh den chur siar atá ag teastáil don limistéar taitneamhachta cósta, /promanáid, gnéithe a fhreastalaíonn ar an bhforbairt a bheartaítear lena n-áirítear codanna de Bhloic C agus D, bóthar rochtana ar an suíomh agus na spásanna páirceála carr a ghabhann leis. Meastar nach soláthrófaí sa leagan amach atá beartaithe spás taitneamhachta ar ardchaighdeán agus chiallóidh fairsinge neamhleor an fhearainn phoiblí atá beartaithe nach n-ionchorprófaí ann gluaiseacht oiriúnach do rothair agus do choisithe tríd an gceantar agus go mbeadh comhéadan poiblí fochaighdeánach idir an sráidbhaile agus an cósta. Dá bharr sin shárófaí na cuspóirí thuasluaite agus bheadh an fhorbairt bheartaithe, mar sin, contrártha le pleanáil cheart agus le forbairt inbhuanaithe an cheantair.

APPEAL by Pobal Bhearna community group care of Dermot Corcoran of Freeport, Bearna, County Galway, and by Others, against the decision made on the 3rd day of October, 2022 by Galway County Council to grant, subject to conditions, a permission to Jim and Tom Cunningham care of Collins Boyd Engineers and Architects of Galway Road, Roscommon, County Roscommon.

Proposed Development: for the following: Mixed use buildings– five number; 12 number one-bed flats (Gross floor area 763 square metres) four number two-bed flats (Gross floor area 475 square metres) six number three-bed flats (Gross floor area 615 square metres) one number cafe/restaurant (Gross floor area 79 square metres) two number Retail/Commercial Units (Gross floor area 196 square metres) Ancillary storage rooms and plants (Gross floor area 111 square metres) seven town houses consisting of: four number two-bed houses (gross floor area 395 square metres) three number three-bed houses (Gross floor area 407 square metres) Coastal promenade including coastal park and playground Access roads and 56 number surface parking spaces. Connected to public sewers, storm water, mains and water services, including all other site ancillary works, at Rinn na Mara, County Galway.

Decision

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

Reasons and Considerations

1. Having regard to Zoning Objective C1 town centre/commercial of the Galway County Development Plan 2022-2028, which applies to that area of the site proposed to accommodate the mixed-use development and townhouses and associated development, it is considered that the ratio

of residential to commercial development would, due to the predominance of residential content, fail to comply with this zoning objective for the site. Furthermore, it would fail to achieve the stated objective of the zoning which seeks to develop and consolidate the existing town centre and improve its vibrancy with the densification of appropriate commercial and residential developments ensuring a mix of commercial, recreation and civic uses. The development as proposed, in the absence of a suitable quantitative and qualitative mix of uses, would materially contravene the C1 zoning objective and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Objective BSMP 7 of the Galway County Development Plan 2022-2028, seeks to support the creation of a Coastal Amenity Park to serve the recreation and amenity needs of the Bearna community, to provide an appropriate public interface between the village and the coastline and to create a focal point and attractive setting for high quality tourism and mixed-use development on adjoining lands. Furthermore, Objective BSMP 9 of the development plan seeks to ensure a general building setback of 30 metres from the foreshore field boundary line to allow for the development of the coastal amenity park and a seaside promenade including cycleway, children's playground(s) and landscaped amenity space. While elements of the coastal amenity park and seaside promenade envisaged by the aforementioned objectives have been provided within the proposed design and layout, it is considered that the design and layout of the development as proposed incorporates, within the set back required for the coastal amenity area/promenade, elements servicing the proposed development including parts of Block C and D, the site access road and accompanying car parking spaces. It is considered that the layout proposed would militate against the provision of a high-quality amenity space and the insufficient width of the public realm proposed would fail to incorporate appropriate cycle and pedestrian movement through the area and would result in a substandard public interface between the village and the coastline.

Consequently, the aforementioned objectives would be contravened and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Una Crosse



Una Crosse

Comhalta den Bhord

**Pleanála atá údaraithe go cuí
chun séala an Bhord a
fhíordheimhniú**

Member of An Bord

**Pleanála duly authorised
to authenticate the seal
of the Board.**

Dátaithe ar an

3rd

lá seo de

Aibreán

2024