



An  
Bord  
Pleanála

## Board Order

**ABP- 316007-23**

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 22/1226**

**Appeal** by Tony Flaherty of Poll na Cloiche, Maigh Cuilinn, County Galway against the decision made on the 9<sup>th</sup> day of February, 2023 by Galway County Council to refuse permission for the proposed development.

**Proposed Development:** Chun theach, agus Chóras Séarachais a choinneáil. Spás urláir comhlán na hoibre atá le coinneáil 73 más cuí. Tóin na Brocaí, Rathun, Contae na Gaillimhe.

### Decision

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

## Reasons and Considerations

1. It is considered that the development proposed for retention would endanger public safety by reason of a traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted in both directions. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the site within the Metropolitan Area Strategic Plan (MASP) in an area where housing is restricted to persons demonstrating local need in accordance with Policy Objective RH 1 Rural Housing Zone 1 (Rural Metropolitan Area) of the Galway County Development Plan 2022-2028, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the development plan for a house at this location. The development proposed for retention, in the absence of any identified locally based need for the house, 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 development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the applicant has not demonstrated that the existing effluent treatment system can adequately and safely dispose of domestic effluent from the new dwelling. The development would, therefore, be prejudicial to public health and a risk to surface water. It is also considered that, taken in conjunction with the existing development in the vicinity, the development proposed for retention would result in an excessive concentration of development served by septic tanks in the area.



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Mary Henchy

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

Dated this 13<sup>th</sup> day of December 2023