



An
Coimisiún
Pleanála

Commission Order
ABP-321282-24

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 24/61191

Appeal by Eszter Feher care of Arthur Ward of Carnacon, Tullinadaly Road, Tuam, County Galway against the decision made on the 23rd day of October, 2024 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Retention permission for restoration of a labourer's cottage, entrance improvement works, temporary steel container, new septic tank and all associated works. Gross floor space of work to be retained: 35 square metres all at Clooniffe, Moycullen, County Galway.

Decision

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

Reasons and Considerations

1. The Commission considered that the existing structure on the subject site does not meet the definition of a derelict/semi derelict dwelling as defined at Policy Objective RH 7 (Renovation of Existing Derelict Dwelling) in the Galway County Development Plan 2022-2028.

Therefore, the applicant must establish a Rural Housing Need for the development of a dwelling in a Class 4 Landscape setting, and within the designated Galway County Transport and Planning Study Area, which is subject to strong urban influence, in accordance with the requirements of Policy Objective RH 4 (Rural Housing Zone 4 - Landscape Classification 2,3 and 4) and RH 2 (Rural Housing Zone 2) of the development plan.

On the basis of information submitted in support of the subject application, the Commission concluded that the applicant has failed to demonstrate any intrinsic links to the Cluain Duibh area, which would constitute an economic or social need to live in a rural area, as required by the development plan and the National Planning Framework, or a rural generated housing need that meets the parameters set within the Sustainable Rural Housing Guidelines 2005. It is therefore considered that the development proposed to be retained would contravene the settlement strategy set out in the development plan to strengthen and consolidate rural settlements, as alternatives to encouraging rural housing in the open countryside, and that the development proposed to be retained would contravene policy objectives RH 2 and RH 4 of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the proximity, layout and orientation of the subject development proposed to be retained, in particular the new access and access road positioned along the northern boundary of the site, the development the subject of the retention application would result in a serious injury in terms of loss of privacy to the amenity of residents in the existing dwellinghouse to the north of the site. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

Eamonn James Kelly

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Planning Commissioner of An Coimisiún

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



Dated this *30th* day of *October*, 2025.