



An  
Bord  
Pleanála

## Inspector's Report

An Bord Pleanála Ref. PL07.246611

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<b>Proposed Development</b>	Construction of a dwelling house, garage, effluent treatment unit and all associated site works.
<b>Address</b>	Cregaclare, Ardrahan, Co. Galway
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	15/1584
<b>Applicant(s)</b>	Christopher Keane
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Appellant(s)</b>	Christopher Keane
<b>Observer(s)</b>	none
<b>Date of Site Inspection</b>	8th August, 2016
<b>Inspector</b>	Stephen Kay

## 1.0 Site Location and Description

The appeal site is located on a local road approximately 0.5km to the east of Labane and 2km from Ardrahan which is on the N18. The site is located c. 8km to the north of Gort and 25km south of Galway City.

The local road in the vicinity of the site is characterised by a significant level of development and there are existing dwellings constructed on the two sites immediately to the north east of the appeal site.

The site slopes down significantly from south to north away from the road and the topography of the wider area is such that there are clear views from the site north west in the direction of the N18. The contours of the site in the area of the proposed building footprint are such that the ground level at the rear is c. 1.2 metres lower than at the front building line.

The existing layout of the site is that there is a vehicular access immediately to the south west of the site boundary that accesses an unsurfaced track which runs parallel with the local road along the site frontage and then along the north east boundary of the site. This existing entrance and track currently provides access to a shed that is located to the north west of the site and which is currently used to keep horses. There is also a container located close to the north east boundary of the site and there is a hut in this area that is connected with the provision of a power supply to the shed.

The stated area of the site is 0.29 ha.

## **2.0 Description of Proposed Development**

The proposed development comprises the construction of a two storey dwelling with the upper floor accommodation being provided in the existing roofspace and not being served by dormer windows or windows in the gable ends. The only light and ventilation to these rooms is by way of rooflights.

The site contours are such that the ground level at the rear building line is c. 1.2 metres lower than is the case at the front and the submitted plans indicate an elevated area of decking projecting to the rear at the ground floor level.

The stated floor area of the dwelling is 203 sq. metres and the proposed finishes comprise roof tiles, render finish with stone to a small projecting gable fronted element to the front elevation.

The development is proposed to be connected to a group water scheme water source and a letter of consent to a connection has been submitted with the application. Drainage is proposed to be to an on site system and raised polishing filter. A single storey garage structure is proposed to be constructed close to the north east site boundary and c.18 metres to the rear of the building line of the house.

There is no indication on the submitted plans regarding the provision of access to the existing shed located on adjoining lands to the north west of the site and current access to which is via the appeal site. The applicant is stated to own the lands to the south west of the appeal site including the existing entrance and an alternative access to the shed could be provided via these lands.

### 3.0 Planning History

There is a very significant amount of planning history referenced in the report of the Planning Officer. The following planning history relates to the appeal site and the first party in this case and a number of other permissions referenced on the appeal file:

#### ***Current Appeal Site***

Galway County Council Ref. 15/659 – Application by Christopher Keane to the Planning Authority for the construction of a dwelling and on site effluent treatment system on the current appeal site. Application withdrawn prior to a decision being issued.

Galway County Council Ref. 13/984 – Application by Christopher Keane to the Planning Authority for the construction of a dwelling and on site effluent treatment system on the current appeal site. Application withdrawn prior to a decision being issued.

Galway County Council Ref. 03/5170 – Application by Eddie Maloney to the Planning Authority for the construction of a dwelling and on site effluent treatment system on the current appeal site. Application withdrawn prior to a decision being issued.

Galway County Council Ref. 03/2474 – Permission refused to Carmel Maloney for the construction of a house on the current appeal site. Permission was refused for a single reason related to sightlines and traffic safety.

### ***Other Sites***

Galway county Council ref. 14/62 – Permission granted to Jimmy Walsh for the retention and completion of a two storey dwelling on the site immediately to the north east of the current appeal site.

Galway County Council Ref. 07/2039 – Permission granted to Eddie Maloney for the construction of a dwelling on lands immediately to the west and north west of the current appeal site.

Galway County Council Ref. 06/3070; ABP Ref. PL07.211424 – Permission refused by the Planning authority and granted on appeal by An Bord Pleanála to Albert Keane (father of the first party) for the construction of a dwelling house, treatment unit and all associated services on a site at Rathcosgry approximately 5km to the east of the current appeal site.

## **4.0 Planning Authority Assessment and Decision**

### **4.1 Internal Reports**

Planning Officer Report – The report of the Planning Officer notes the location of the site in an area under strong urban influence, the planning history, the proximity of the site to a flood risk area and to the location of the site within a source protection zone, and the potential hydrological connectivity between the appeal site and Natura 2000 sites. Stated that the Planning authority as the competent authority for AA cannot screen out the ‘potential for significant impact on the integrity and qualifying criteria / conservation objectives of the adjacent European sites’. Considered that the applicant has not adequately demonstrated intrinsic links with the rural area. Noted also that the most recent (2015) flooding events not

referenced in the submitted flood risk assessment. Noted that sightlines have been an ongoing issue at the site and that they have not been demonstrated in this application. A recommendation to refuse permission consistent with the notification of decision which issued is made.

## **4.2 Notification of Decision**

A Notification of Decision to Refuse permission, for six reasons was issued by the Planning Authority. The following is a summary of the reasons for refusal in this notification of decision:

1. That notwithstanding the submissions made that the site is located in a rural area that is the subject of strong urban influence. It is not considered that the applicant has demonstrated compliance with Objective RHO 1 and DM Standard 5 of the development plan as it relates to Rural Housing development in an area of strong urban influence and that the proposed development would materially contravene these provisions of the plan.
2. That the location of the site adjacent to a flood risk area and having regard to the 2015 flood event in this general area, notwithstanding the submitted flood risk assessment, the planning authority are not satisfied that the site is not at risk of flooding and that the proposed development would therefore materially contravene Policy FL4 and Objective FL1 of the development plan.
3. That having regard to the location of the site in a source protection zone for groundwater and in a groundwater protection response R3(1) above a poor aquifer that it is not considered that the site can be adequately drained by the proposed on site waste water treatment system. The proposed development

would therefore materially contravene Objective WW5 and WS11 of the plan and would be prejudicial to public health.

4. That the site is located within 15km of 28 designated European sites protected by the Habitats Directive. Having regard to the nature of the development, to ground conditions and to potential pathways to designated sites the development has the potential to have a significant negative impact on the qualifying criteria of a European site(s) and would therefore materially contravene Policy NHB1, Objective NHB1, NHB3 and DM standard 40 of the Plan.
5. That in the absence of documentation illustrating compliance with the required sightlines at the entrance to the site, that the proposed development would pose a risk to traffic safety.
6. That the proposed development is located on an elevated and visually prominent site and such that it would be highly visible from the national route (N18). The design of the dwelling with the storey and a half rear elevation would form a visually intrusive feature in the landscape and would materially contravene Objective RHO9 of the plan.

It is noted that Reasons for refusal 1, 2, 3, 4, and 6 as included in the Notification of Decision to refuse Permission make reference to material contravention of the County Development Plan and that the provisions of s.37(2)(b) of the Planning and development Act are therefore applicable in this case.

## 5.0 Appeal Submission

The following is a summary of the main issues raised in the appeal

- That the applicant has lived in this local area since he was 2 years old. His father and grandfather were from the area and his uncle still farms in the Ardrahan area. He attended the local national and secondary schools and played for the local GAA club. This should be sufficient to comply with the housing need criteria of Galway County Council and it is submitted that the applicant has demonstrated sufficient housing need for the site as it is within a few km of where he grew up.
- That the site is within a few hundred metres of a village containing facilities including a pub, school, church, shop and a nursing home.
- That the applicants father was granted permission by the Board in 2006 (Ref. PL07.221424). He was forced to sell this dwelling in 2013. It was previously suggested by the Planning Authority (under ref. 13/984) that the current first party should have purchased this dwelling however this was not financially possible.
- Regarding flooding, the flooding event of 2016 did not reach its maximum until after the planning application was lodged. In any event the flood level did not exceed the 2009 recorded levels and the submitted flood risk assessment report is therefore still conclusive and was not taken into account by the planning Authority.
- That the percolation area is 4 metres above the maximum flood level, the treatment unit 6 metres above and the house 10 metres above.



- That the site assessment has identified the site as a R2(1) response and not R3(1). It is not clear what water source is located in the vicinity of the site.
- Regarding the potential impact on Natura 2000 sites, if concerned the planning authority should have requested a screening assessment. This is now included with the appeal and concludes that there would be no impact on any protected sites.
- That sight distance is available to the north east. To the south west, the first party owns the lands and will move back the boundary wall to achieve the required sight line.
- Regarding visual impact, the scale of dwelling is significantly less than the two storey permitted on the adjacent site under ref. 14/62. Submitted that the separation to the N18 is such that there would not be a significant visual impact.
- That no views would be blocked from the N18 by the proposed development.

## **6.0 Response Submissions**

### **6.1 Planning Authority Response to Grounds of Appeal**

There is no response submission from the Planning Authority on file.

## 6.2 Referrals by An Bord Pleanála Under S.131

The Board referred details of the application to the Heritage Council, An Taisce and the Development Applications Unit of the department of Arts heritage and the Gaeltacht. No response to these referrals was received by the Board.

## 7.0 Planning Policy

The appeal site is zoned in an area that is outside of any development boundary or zoned land. The site is within the GTPS area and is therefore categorised as an area that is under strong urban influence. Policy relating to Rural Housing are set out in section 3.7 of the Galway County Development Plan, 2015-2021.

**Objective RHO 1** sets out the policy for rural housing development in areas that are under strong urban pressure. This states that it will be an objective to facilitate rural housing for applicants who (inter alia) have rural links to the area and who are seeking to develop their first home on a family farm, those with no family links but who have significant other connections to the area, those who are functionally dependant on the immediate rural area in which they are seeking to build. Provision is also made for exceptional health circumstances (2b.)

The site is also located in an area that is identified as landscape category two (where one is the least sensitive and 5 is the most sensitive).

That the site is located within c. 85 metres of an area that is identified in the OPW Flood mapping for groundwater flood extents.

## **8.0 Assessment**

In my opinion the following are the main issues relevant to the consideration of this appeal:

- Principle of Development / Rural Housing Need
- Design and Impact on Amenity
- Access and Traffic
- Flooding Issues and Site Servicing
- Other Issues / Appropriate Assessment

### **8.1 Principle of Development / Rural Housing Need**

8.1.1 The appeal site is located in an area that is within the area covered by the Galway Transportation and Planning Study area and is therefore identified in the County Development Plan (section 3.7) as being an area that is a Rural Area Under Strong Urban Pressure. The council policy for rural housing in this high pressure area is set out in Objective RHO 1 of the plan and it is this objective which has been focussed on in the assessment undertaken by the Planning Authority. In this assessment it is concluded by the Planning Authority that the applicant does not meet the requirements of Objective RHO 1 as he has not demonstrated sufficient housing need documentation with the area. The appellant has stated that he was a resident of the local area since he was two, that his father and grandfather were both from the local area and that he attended the local school. It is contended that sufficient information to demonstrate compliance with the requirements of the development plan have been submitted.

8.1.2 The detail on file regarding the circumstances of the applicant and rural housing need are limited and are contained in the appeal submission and the Rural Housing Need Application Form submitted with the application. On the basis of this form the applicant is stated to be the owner of the site and it is stated that he currently resides in rented accommodation in Gort. Regarding employment, it is stated that he is

employed by a fencing company based in Navan, Co. Meath. It is also stated that no previous applications have been made on the wider farm or landholding, however I note that under ref. 07/2039 permission was granted to an Eddie Mahoney for the construction of a dwelling on lands that appear to include those immediately to the south west of the current appeal site and which are stated in the appeal response to be under the control of the applicant for the purpose of improving sight lines.

8.1.2 Fundamentally in terms of compliance with Objective RHO 1 and DM Standard 5 which specifies the documents required in order to substantiate a rural housing need, there is no information available on the appeal file which verifies the applicant's claims regarding his connections with the rural area such as school records or membership of clubs. I note that no such records are referred to in the report of the Planning Officer. In the absence of such information, having regard to the current residency of the first party in Gort and the fact that his employment is not related to the local area I do not see how he is in compliance with the rural housing policy for areas under strong urban pressure and specifically Objective RHO 1. Under Galway County Council Ref. 06/3070; ABP Ref. PL07.211424 details of the housing circumstances of the father of the first party were submitted and I note from the inspectors report in that case that a birth certificate for Christopher Keane formed part of the supporting documentation in that case. It would appear that the father of the first party is originally from the local area however it is my opinion that in order to clearly demonstrate compliance with Objective RHO 1 the first party needs to submit documentary information showing his connections to the local area.

8.1.3 With regard to rural housing policy I further note that Reason No.1 of the Notification of Decision to Refuse Permission issued by the Planning Authority makes reference to material contravention of the development plan. The provisions of s.37(2) of the Act are therefore applicable in this case and I do not see how any of the four circumstances set out in s.37((2)(b) are met in this instance. Specifically, in the absence of supporting documentation to show connections with the local area I do

not consider that the proposal can be deemed to be in accordance with the s.28 Guidance issued on Sustainable Housing Development in Rural Areas. Similarly, I am not aware from a review of the planning history of residential developments permitted in the vicinity of the site where connections with the local area were not demonstrated by the first applicants. For these reasons I do not consider that it is open to the Board in these circumstances to overturn Reason for Refusal No.1 as included in the decision of the planning authority.

## **8.2 Design and Impact on Amenity**

8.2.1 The design of the dwelling and specifically the height at the rear elevation, and the visibility of the site from the west and the N18 is the basis for reason for refusal No. 6. The wording of this reason refers to the elevation of the site and the design of the dwelling with a storey and a half rear elevation would be highly visible in the landscape. It is therefore concluded that the proposed development would materially contravene Objective RHO 9 of the development plan which relates to the design guide for single rural houses.

8.2.2 The contours of the site are such that there is a significant fall across the site from the eastern corner and there is therefore potential for development on the site to be visually prominent. Against this however, the scale of the dwelling proposed is relatively modest, with a maximum height at the front elevation of c. 7 metres. I note and accept the issue raised by the Planning Authority regarding the additional height and bulk in the rear elevation and would also agree with the assessment that the proposed raised decking area at the rear is not acceptable from a visual amenity perspective. It would however be my opinion that some reduction in ground levels in the area of the front building line would facilitate the better integration of the dwelling into the site. This approach has not been followed on the adjoining site to the north east which has significantly raised ground levels at the rear.

8.2.3 I note that the site is located in an area identified in the development plan as landscape sensitivity class 2 and as such that the location of the site is not particularly visually sensitive. I would also note the fact that the site is located at a significant remove from the N18 being approximately 500 metres away at the closest point. In view of the scale of dwelling proposed, the potential to better site the dwelling within the site and the fact that the landscape in the vicinity of the site is not particularly visually sensitive and that no designated views or prospects would be impacted I do not consider that the proposed development is such that it would form a visually intrusive feature in the landscape as stated by the Planning Authority.

8.2.4 The Planning Authority decision makes reference to the fact that the proposed development would materially contravene Objective RHO 9 of the development plan which relates to the rural housing design guide. As set out above I consider that the concerns regarding siting and the extent of dead frontage on the rear elevation and the balcony can be addressed. In terms of the provisions of s.37(2) of the Act and material contravention I note the fact that under Galway County Council ref. 14/62 permission was granted for the retention and completion of a two storey dwelling on the site immediately to the north east of the current appeal site. I therefore consider that a case can be made that permission for the proposed development should be granted having regard to the pattern of development and permissions granted in the area since the making of the development plan (2011) and that s.37(2)(b)(iv) is therefore applicable. Having regard to the above, I do not consider it appropriate that permission would be refused on the basis of visual amenity or visual intrusion.

8.2.5 An issue not raised in the report of the planning officer relates to the design of the upper floor accommodation and the fact that light and ventilation to the two upper floor bedrooms is only proposed via roof lights. In the event that the Board was considering a grant of permission it is recommended that alternative proposals for

the provision of windows to the gable end elevations or alternative forms of lighting and ventilation to these rooms would be provided.

### **8.3 Access and Traffic**

8.3.1 Reason for refusal No.5 attached to the decision of the Planning Authority relates to visibility at the site access and states that in the absence of sight lines being demonstrated on the drawings that the development would pose a risk to traffic safety and would be contrary to proper planning and sustainable development. It is also noted that permission was refused for a dwelling on the appeal site under Ref. 03/2474 on the basis of inadequate sight lines.

8.3.2 The appeal response states that the first party owns lands that are located to the south west of the site are also in the control of the applicant and that works to improve sight lines in this direction could be undertaken. My assessment of the sight lines at the location of the proposed entrance is that to the south west there is adequate sight distance available and that the existing situation could potentially be improved. To the north east, it is my assessment that a sight line of 70 metres is also available.

8.3.3 Regarding the assessment of the Planning Authority, it is now apparent that the first party has additional lands located to the south which could be used to improve sight lines. I also note that the planners report contains a photograph of sight lines taken from the existing entrance which is located to the south west of the existing site boundary and not from the location of the entrance as proposed in the application. On balance therefore I consider that the proposals for vehicular access to the site are acceptable.

## **8.4 Flooding Issues and Site Servicing**

- 8.4.1 The Planning Authority have included reasons for refusal related to the risk of flooding and also the suitability of the site for the on site treatment and disposal of effluent. The site is proposed to be served by a connection to a group water supply.
- 8.4.2 Reason for refusal no.2 notes the location of the site adjacent to an identified area of groundwater flooding and states that having regard to recent flood events (2015) and to the precautionary principle that there is a risk of flooding at this location. It is concluded that the proposed development would materially contravene Policy FL 4 and Objective FL 1.
- 8.4.3 The application was accompanied by a flood risk assessment report and this indicates that the area is characterised by Karst bedrock and that there are a number of Turloughs in the vicinity of the site. The report notes that the flood events from 2009 flooding in the region are recorded in the flood risk assessments produced by the OPW and I note that these assessments indicate the risk of groundwater flooding within approximately 80 metres of the appeal site. The submitted assessment includes an aerial photograph of flooding in the Labane area in November 2009. The flood risk assessment concludes that the flood level from 2009 is estimated at c. 23 metres AOD and that this is c. 10 metres below the proposed finished floor level of the dwelling on site. On this basis I would agree that the likelihood of flooding of the proposed dwelling is very unlikely however, I also note that no site specific assessment of risk as per the flood risk guidelines and as required by Objective FL 4 of the plan.
- 8.4.2 With regard to foul drainage, the ground level in the vicinity of the proposed percolation area is c. 94 metres or c. 27 metres AOD and therefore c. 4 metres above the 2009 estimated flood level. It is in this context that an assessment of the



ground conditions is required. The report of the planning officer identifies the site as being located in an area of extreme vulnerability and of regional importance. It is also stated that the site is located within a source protection zone. This is disputed by the first party, however no definitive location of the site relative to any source protection zone is provided on the appeal file. The Site characterisation form submitted by the first party indicates that the site is located in an area of high rather than extreme vulnerability and of regional importance. My reading of the GSI groundwater vulnerability mapping is that the site is located in an area of high vulnerability and that the aquifer is of regional importance. I cannot find any detail that indicates that the site is located within a source protection zone and this is not indicated on the relevant OSI GIS mapping for public and group water supply sources. No map of such zones is available in the County Development Plan. On the basis of high vulnerability, regional importance and, given that it is stated to be so by the planning authority, that it is within a source protection zone, it is my opinion that the appropriate groundwater protection response as per the EPA Code of Practice is R(2)3 where an on site system is acceptable subject to normal good practice and where the planning authority is satisfied that the accumulation of significant nitrate or microbial contamination is unlikely. Having regard to this and to the nature of the proposed system, to the T test result of 14.9 and to the fact that the assessment undertaken by the Planning authority used what appears to be an incorrect groundwater vulnerability classification I do not consider it appropriate that permission would be refused for this reason and consider that the provisions of s.37(2) of the Act are not applicable given the inaccurate groundwater classification used and the apparent location of the site outside of any source protection zone.

## 8.5 Other Issues / Appropriate Assessment

8.5.1 A screening for appropriate assessment was submitted by the first party with the appeal submission and this assessment concludes that in the event of a grant of permission '*there would be no impacts upon the integrity of the conservation objectives for any natura 2000 site*' and that there is no requirement to proceed to a Stage 2 assessment.

8.5.2 As noted in the report of the planning officer, there are 28 no. European sites within 15km of the appeal site. The appeal site is not located within and would not have a direct impact upon the conservation objectives of any of these 28 no. sites. With regard to pathways, there are no rivers, streams or direct surface water pathways between the appeal site and adjoining lands to any of the identified sites and the main potential pathway is via a groundwater connection. The most significant from the perspective of the proposed development and the appeal site are considered to be those located within 5 km of the appeal site as follows:

- Ardrahan Grassland SAC (002244)
- Ballinduff Turlough SAC (002295)
- Peterswell Turlough SAC (000318)
- Carrowbaun, Newhall, and Ballylee Turlough (002293)
- Castletaylor Complex SAC (000242)
- Lough Coy SAC (002117)
- Kiltiernan Turlough SAC (001285)
- Coole Garryland SAC (000252)
- Coole Garryland Complex SPA (004107)

8.5.3 Having regard to the nature of the proposed development, to the separation between the appeal site and the relevant Natura 2000 locations, to the anticipated groundwater levels during period of maximum flooding and the relative height of the proposed on site treatment system and percolation area and to the conservation objective for the site which is to maintain or restore to favourable conservation status the turlough habitat, I do not consider that the proposed development is likely to have a significant effect on the following sites:

- Ballinduff Turlough SAC (002295)
- Peterswell Turlough SAC (000318)
- Carrowbaun, Newhall, and Ballylee Turlough (002293)
- Kiltiernan Turlough SAC (001285)
- Lough Coy SAC (002117)

8.5.4 The following is a screening assessment with regard to the other identified sites.

Ardrahan Grassland SAC (002244)

The conservation objective for this site are to maintain or restore to favourable conservation status the following habitats:

- Alpine and Boreal heaths
- Juniper communis
- Limestone pavements

The nature of the proposed development is such that subject to the satisfactory installation and maintenance of the proposed treatment system the potential impact on groundwaters should not be significant. Given this and the separation between the appeal site and the Ardrahan Grassland SAC site which is c.2.5km at the closest point it is not considered likely that the proposed development would have a significant effect on the European site in light of its conservation objectives.

### Castletaylor Complex SAC (000242)

The conservation objective for this site are to maintain or restore to favourable conservation status the following habitats:

- Turloughs
- Alpine and Boreal heaths
- Semi natural dry grasslands and scrubbed facies on calcareous substrates
- Limestone pavements

The nature of the proposed development is such that subject to the satisfactory installation and maintenance of the proposed treatment system the potential impact on groundwaters should not be significant. Given this and the separation between the appeal site and the Castletaylor Complex SAC site which is c.4 km at the closest point it is not considered likely that the proposed development would have a significant effect on the European site in light of its conservation objectives.

### Coole Garryland SAC (000252)

The conservation objective for this site are to maintain or restore to favourable conservation status the following habitats:

- natural eutrophic lakes
- Turloughs
- Rivers with muddy banks
- Juniperus communis
- Semi natural dry grasslands
- Limestone pavements

The nature of the proposed development is such that subject to the satisfactory installation and maintenance of the proposed treatment system the potential impact on groundwaters should not be significant. Given this and the separation between the appeal site and the Coole Garryland SAC site which is c.4 km at the closest point it is not considered likely that the proposed development would have a significant effect on the European site in light of its conservation objectives.

#### Coole Garryland Complex SPA (004107)

The conservation objective for this site are to maintain or restore to favourable conservation status the following species:

- Whooper swan
- Wigeon
- Black tailed godwit
- Greenland white fronted goose
- Wetland and waterbirds

The nature of the proposed development is such that subject to the satisfactory installation and maintenance of the proposed treatment system the potential impact on ground waters should not be significant. Given this and the separation between the appeal site and the Coole Garryland SPA site which is c.4 km at the closest point I do not consider that it is likely that the proposed development would impact on habitat of the species which form the conservation objectives of the site such that it would impact the achievement of achieving or maintaining favourable conservation status. It is therefore considered that the proposed development is not likely to have a significant effect on the European site in light of its conservation objectives.

## 9.0 Recommendation

In view of the above, it is recommended that permission be refused based on the reasons and considerations set out below.

### Reasons and Considerations

1. The site is located in a rural area outside of any identified settlement and within an area of strong urban influence as identified in the Galway County Development Plan, 2011-2017 and within an area where the provisions of Objective RHO 1 of the plan regarding rural housing in areas under strong urban pressure – Galway Transportation Planning Study Area (GTPS) is applicable. Having regard to the information submitted with the application and specifically the lack of documentary information demonstrating the applicants rural links to the area as specified in Objective RHO 1 it is considered that the proposed development would not be consistent with the policy set out in the plan for housing in rural areas. The proposed development if permitted would therefore be contrary to Objective RHO 1 of the development plan, 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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**Stephen Kay**

Inspectorate

30<sup>th</sup> September, 2016