



An
Bord
Pleanála

Inspector's Report ABP-308839-20

Development	Theach cónaithe, garaiste, seirbhísi agus coras coireala Kingspan Environmental a thogail.
Location	Doire Lochain Thoir, An Spídeal, Co na Gaillimhe.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	201337
Applicant(s)	Ronan O'Ceallaigh
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party
Appellant(s)	Ronan O'Ceallaigh
Observer(s)	Mairéad Farrell TD Noel Grealish TD Catherine Connolly TD
Date of Site Inspection	12 th of March 2020
Inspector	Adrian Ormsby

1.0 Site Location and Description

- 1.1. The appeal site is located in Doire Lochain Thoir, An Spidéal, County Galway, c. 6 km north east of Spidéal Village and c.14 km west of Galway City centre. The appeal site is stated to measure 0.284ha.
- 1.2. The site is located on elevated lands along a narrow, meandering local road that runs from north to south. This local road connects to the R336 regional road between west county Galway and Galway City. The local road primarily serves the rural area with a large number of one-off houses on both sides of the road. The surrounding area is generally characterised by elevated, rugged and uneven ground. The road is narrow, poorly surfaced and with poor vertical and horizontal alignment. It ranges in width from c. 2.5m to 2.8m.
- 1.3. The site is located on the western side of the road and is bound to the local road by an overgrown low stone wall. The site can be accessed by an existing agricultural entrance to the northern corner. The ground is notably uneven and falls to the rear. Rocky outcrops were visible on the site.
- 1.4. There is evidence the site is in agricultural use. The site appears poorly drained with ponding throughout the site. P test holes and the trial hole remained open with standing water at high levels evident. There appeared to be surface drains to the western side boundary of the site.
- 1.5. There are a number of houses in the area. To the north there is an existing storey and half style dwelling with exposed boundaries. Opposite the site there are two existing single storey house. To the south of the site there is a single storey house.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - A 227.6 sq.m, four bedroom, storey and half style house with ridge height of 7.745m
 - A 45 sq.m detached garage with ridge height of 4.145m.
 - An onsite wastewater treatment system- with 54 sq.m raised polishing filter
 - It is proposed to obtain a connection to the public mains

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse on the 10/11/20, for two reasons which can be summarised as follows-

- Based on the documentation submitted the applicant has not demonstrated to the satisfaction of Galway County Council that they comply with Objective RH04 (An Ghaeltacht) of Galway County Development Plan. To grant the development as proposed would contravene materially an objective contained in Galway County Development Plan.
- The Planning Authority is not satisfied that the safe disposal of domestic effluent on site can be guaranteed in strict accordance with the EPA Code of Practice Manual 2009 for Wastewater Treatment and disposal systems serving single houses.

4.0 Planning Authority Reports

4.1. Planning Reports

The report of the Planning Officer (approved by email dated 09/11/20) reflects the decision of the Planning Authority. The following is noted from the report:

- The alignment of the local road in the vicinity of the site frontage is considered favourable towards facilitating a development of this nature.
- The p holes on site had water therein and there was poor drainage characteristics present in the form of rushes throughout.
- The design of the dwelling is reflective of the built form in the general locality and is considered capable of assimilating appropriately into the rural setting
- The applicant has passed the Irish Test with a letter of confirmation on file dated 29/09/20. The applicant is a prospective purchaser of the site. Having examined all of the documentation on file the applicant does not comply with the strict criteria as set out under objective RHO4 (b) of the county plan.

- It is recommended the permission be refused on housing need and poor drainage grounds.

4.2. Other Technical Reports

- None on file

4.3. Prescribed Bodies

- None on file

4.4. Third Party Observations

- One third party submission was received who raised concerns in relation to the potential for adverse environmental effects to groundwater. The site is prone to regular water logging during wet weather conditions.

5.0 Planning History

- There is no planning history evident on this site.

6.0 Policy Context

6.1. National Policy/Guidelines

6.1.1. National Planning Framework (NPF) – Project Ireland 2040 (2018)

Objective 19 of the National Planning Framework outlines-

“In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a 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”

6.1.2. Sustainable Rural Housing Guidelines for Planning Authorities (2005)

The Guidelines provide criteria for managing rural housing requirements, whilst achieving sustainable development. Planning Authorities are recommended to identify and broadly locate rural area typologies that are characterised as being under strong urban influence, stronger rural areas, structurally weak, or made up of clustered settlement patterns.

The appeal site is located in an area identified as under strong urban influence, as set out under Section 6.2 below. In these areas the guidelines advise that the housing needs of the local rural community should be facilitated, but that urban generated housing demand should be met on zoned and serviced land within settlements (Appendix 3, Box 1).

Section 3.2.3 deals with 'Rural Generated Housing' and 'Persons who are an intrinsic part of the rural community'. It states-

"Such persons will normally have spent substantial periods of their lives, living in rural areas as members of the established rural community. Examples would include.....people who have lived most of their lives in rural areas and are building their first homes. Examples in this regard might include sons and daughters of families living in rural areas who have grown up in rural areas and are perhaps seeking to build their first home near their family place of residence."

Appendix 4 deals with 'Ribbon Development' and recommends against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. The guidelines go on to state-

In assessing individual housing proposals in rural areas planning authorities will therefore in some circumstances need to form a view as to whether that proposal would contribute to or exacerbate ribbon development. Taking account of the above and the dispersed nature of existing housing in many rural areas, areas characterised by ribbon development will in most cases be located on the edges of cities and towns and will exhibit characteristics such

as a high density of almost continuous road frontage type development, for example where 5 or more houses exist on any one side of a given 250 metres of road frontage.

Whether a given proposal will exacerbate such ribbon development or could be considered will depend on:

- The type of rural area and circumstances of the applicant,*
- The degree to which the proposal might be considered infill development, and*
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.*

Planning authorities will need to arrive at a balanced and reasonable view in the interpretation of the above criteria taking account of local circumstances, including the planning history of the area and development pressures.

6.1.3. EPA Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (2009) and the Code of Practice - Design Capacity Requirements August (2013),

The CoP provides guidance on the design, operation and maintenance of on-site wastewater treatment systems for single houses (p.e. less than or equal to 10).

6.2. Local Policy

6.2.1. Galway County Development Plan

Policy RHO 1 - Management of New Single Houses in the Countryside, Map RHO1.

It is a policy of the Council to facilitate the management of new single houses in the countryside in accordance with the Rural Housing Zones 1, 2, 3 and 4 and to support the sustainable re-use of existing housing stock within the County.

The site is located in Zone 1- Rural Area under Strong Urban Pressure (GTPS) and Zone 4 – An Ghaeltacht as per Rural Housing Policy Map RH02. Based on the

information on file it appears the applicants seeks to comply under Objective RHO4 Rural Housing Zone 4 (An Ghaeltacht) which states-

It is an objective of the Council to facilitate Rural Housing in the open countryside subject to the following criteria:

(a) Those applicants within An Ghaeltacht which are located in Zone 1 (Rural Area Under Strong Urban Pressure-GTPS) and Zone 3 (Landscape Category 3, 4 and 5) shall comply with the objectives contained in RHO1 and RHO3 as appropriate. Applicants, whose original family home is located on the coastal strip west of An Spidéal, will be permitted to move closer to the city but not more than 8 km from the original family home.

OR

(b) It is an objective of the Council that consideration will be given to Irish speakers who can prove their competence to speak Irish in accordance with Galway County Council's requirements and who can demonstrate their ability to be a long term asset to the traditional, cultural and language networks of vibrant Gaeltacht communities. This consideration will apply to applicants seeking to provide their principal permanent residence, in landscape designations Class 1, 2 and 3. It will also extend to Class 4 areas that are not in prominent scenic locations. A Language Enurement Clause of 15 years duration will apply to approved developments in this category.

Objective RHO 9 Design Guidelines

Objective RHO 12 Waste Water Treatment Associated with Development in Un-Serviced Areas

Development Management Standards & Guidelines

Section 13.4 Rural Residential Considerations

DM Standard 5: Rural Housing

DM Standard 6: Assimilation of Development into Landscape

DM Standard 7: Site Size for Single Houses Using Individual On-Site Wastewater Treatment Systems.

DM Standard 8: Landscaping

Landscape

Policy LCM 1 – Preservation of Landscape Character

Objective LCM 1: Landscape Sensitivity Classification

Objective LCM 2: Landscape Sensitivity Ratings

The site appears to be located within Medium Value (P. 169 of DP) and Class 2-Moderate Sensitivity (P.170 of DP)

6.2.2. Variation No.2(b) Galway County Development Plan 2015-2021- Gaeltacht Plan (Including settlements of An Cheathrú Rua, An Spidéal and Baile Chláir)

Section 1.4 Settlement Hierarchy/Core Strategy states-

‘Chapter 3....of the Galway County Development Plan 2015-2021 contains policies and objectives relating to the Gaeltacht in the form of.....rural housing and the promotion and protection of the Irish language. It should be noted that objective RHO4-Rural Housing Zone 4 (An Gaeltacht) facilitates rural housing in the open countryside subject to compliance.....It is not expected that these objectives or development standards, strategic objectives etc. that are included in the County Development Plan will be repeated.’

6.3. Natural Heritage Designations

6.3.1. The site is located c. 275m south of the Moycullen Bogs NHA (002364).

6.3.2. The site is located c. 600m west of the Furbogh Wood pNHA (001267).

6.4. EIA Screening

6.4.1. Having regard to the nature and scale of the proposed development it is considered that there is no real likelihood of significant effects on the environment arising from

the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeals has been received. The grounds of appeal as laid out by the appellant can be summarised as follows-

- The applicant has a unique case in relation to his personal circumstances and family situation where his daughter resides with her mother in Spidéal and is a fluent Irish speaker. The applicant had lived with his daughter and her mother for two years before parting ways. The applicant would like to provide a family home for his daughter close to her other family members.
- The applicant is hoping to develop a Scuba Diving business in the area which will be the first Gaelic speaking business of its type in Connemara. Letters of support are submitted from the Spidéal Development Association and Sailing Club accompany the application. The business will be off benefit economically to the community and the Gaeltacht area.
- The applicant has established connections in the Spidéal area while living there for two years.
- The applicant volunteers in a local Dog Recue Facility
- The applicant is a member of a local soccer club.
- The applicant is also part time employee with a local and successful tourism business and letters of support are also submitted. The applicants cultural knowledge and fluency in Gaeilge enhances the tours.
- There are no family lands suitable for the applicant to develop. An application for his brother was refused due to backland development.
- The applicants only other solution is to purchase a property in Galway City forcing an Irish speaker out of the Gaeltacht.

- The site characterisation report is accurate and the P holes do provide drainage as shown on the report. There is no ponding or streams and rushes are minimal to the left of the site.
- A raised percolation area 1.2m above ground level is proposed to improve soakage and to increase the depth to the water table to 2.1m. No consideration has been given to the installation of a raised mound percolation area.
- Comments made in the third party submission on the application are unsubstantiated and inaccurate.
- The applicant has taken the Irish exam to prove his worth.
- The Gaeltacht Development Plan states that *‘the population has declined in the areas where the language and culture are best preserved’*.
- The appeal is accompanied by letters of support from Colaiste Chonnacht and Connemara Pub Tours.

7.2. Planning Authority Response

- None received

7.3. Observations

Three observations have been received from the following-

- Mairéad Farrell TD
- Noel Grealish TD
- Catherine Connolly TD

The issues raised by the observers can be summarised as follows-

- This applicant was born and raised in the Gaeltacht in the islands area of Connemara and he is a native Irish speaker. He lives with his parents in Leitir Móir and commutes to work in Athenry. He is a primary school teacher.

- The applicant has a very strong case according to objective RHO 4 (b) of the Galway County Development Plan 2015-21 despite the site being over 8km from his family home.
- He has a housing need due to the lack of affordable accommodation in Spidéal.
- The applicants daughter attends local school in Spidéal
- The applicant has close ties to a number of local organisations and is actively involved in the community in Spidéal. He plans to start a business and has the backing of the local development authority.

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on file, including the observations received in relation to the appeal, inspected the site, and having regard to relevant local/regional/national policies and guidance, it is considered appropriate to assess this application on a de novo basis. Therefore, the substantive issues are considered as follows:

- Principle of Development /Rural Housing Policy
- Ribbon Development
- Wastewater
- Sightlines and Road Network
- Design and Siting
- Appropriate Assessment

8.2. Principle of Development /Rural Housing Policy

8.2.1. National Policy Objective 19 of the National Planning Framework (NPF) seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area in areas under strong urban pressure.

8.2.2. The Sustainable Rural Housing Guidelines for Planning Authorities (2005) defines Rural Areas Under Strong Urban Influence as areas that-

‘exhibit characteristics such as proximity to the immediate environs or close commuting catchment of large cities and towns, rapidly rising population, evidence of considerable pressure for development of housing due to proximity to such urban areas, or to major transport corridors with ready access to the urban area, and pressures on infrastructure such as the local road network.’

8.2.3. The application site is located in a rural area which has been identified in Section 3.8.1 of the County Development Plan as a Rural Area under Strong Urban Pressure (GTPS) in accordance with the 2005 Guidelines. As per the Development Plan the objective of these areas is to maintain a stable population base in rural areas within a strong network of small towns and villages. The key objectives are to facilitate the genuine housing requirements of the local rural community (rural generated housing) and to direct urban generated development to areas for new housing development in the adjoining urban centres, town and villages.

8.2.4. Objective RHO 4 (b)– An Gaeltacht as set out in the Development Plan, gives consideration to Irish speakers who can prove their competence to speak Irish in accordance with Galway County Council’s requirements and who can demonstrate their ability to be a long term asset to the traditional, cultural and language networks of vibrant Gaeltacht communities.

8.2.5. Based on the information on file it is clear the applicant seeks permission under the provisions of Objective RHO 4 (b) i.e. an Irish speaker who has proven his competence to speak Irish in accordance with Galway County Council’s requirements. A letter on file from Galway County Council confirms the applicant satisfies the criteria regarding fluency in speaking Irish.

8.2.6. Objective RHO 4 (b) also requires applicants to demonstrate their ability to be a long term asset to the traditional, cultural and language networks of vibrant Gaeltacht communities and it would appear to be on this matter that the council has recommended refusal.

8.2.7. The applicant has submitted the following in support of his application-

- A rural housing need application form detailing he is living in his family home in Leitir Moir and is a primary school teacher working in Athenry.
- A letter setting out his personal circumstances, reasons for seeking permission and his connection to the Spidéal area including plans to open a Scuba Diving business.
- A letter from the Mother of the applicant's child in support of the application.
- A letter of support from Galway Sub Aqua Club and evidence of the applicants training in Scuba Diving.
- An email of support for setting up a training facility in the area from the Spidéal Development Company.
- A letter of support for a scuba diving business in the area from the Spidéal Sailing Club.
- Insurance documents relating to a scuba diving business
- Documentary evidence of the applicants membership with the Irish Underwater Council
- An email from Údarás Na Gaeltachta referring to the applicants business plans.
- A letter of support confirming the applicants volunteering work in the Furbo area.
- A letter of support from a local soccer club.
- A letter of support from the applicants employer.
- A letter from primary school which the applicant attended in Leitir Móir detailing the applicants attendance.
- A letter from Scoil Einne, Spidéal detailing the applicant's daughter's attendance.
- Land registry and folio details for the applicants family lands detailing that there are no suitable sites to meet the applicants need in that area.

The applicant has also submitted the following at the appeal stage-

- letters of support from Colaiste Chonnacht and Connemara Pub Tours.

- 8.2.8. I have reviewed all of the documentation submitted with the application and the appeal. I acknowledge the applicants fluency in Irish, his intentions to set up a local business and in particular his difficult personal circumstances and desire to live in the general Spidéál area. However based on the information on file I do not consider the applicant has demonstrated his ability to be a long term asset to the traditional, cultural and language networks of vibrant Gaeltacht communities and in particular in this rural area.
- 8.2.9. Policy Objective 19 of the National Planning Framework requires that, in rural areas under urban influence, the core consideration for the provision of a one-off rural house should be based on the demonstratable economic or social need to live in the rural area and should have regard to the viability of smaller towns and rural settlements. In addition, the Sustainable Rural Housing Guidelines 2005 note that circumstances for which a genuine housing need might apply and include persons who are an intrinsic part of the rural community and persons working full time or part time in rural areas.
- 8.2.10. With regard to an economic and working requirement to live in the area it is noted that the applicant has indicated he is a teacher working in Athenry. In my opinion this employment does not demonstrate an economic or working need to build a house in the proposed rural area.
- 8.2.11. With regards to an 'social' and 'intrinsic' need to live in the area the applicant has clearly indicated he has not lived in the immediate area of the subject site for a substantial period of her life. I accept the applicant now has familial links to the Spidéál area through his daughter, however no social or intrinsic link to the application site and rural area has been established.
- 8.2.12. In my view the applicant's housing need in the context of the proposed development is 'urban generated' rather than 'rural generated' given his employment. From a planning perspective it is appropriate to facilitate such needs within an established smaller town or village/settlement centre e.g. Spidéál rather than the rural area. Based on the information on file I consider the applicant does not comply with local

and national policy in relation to rural housing and on this basis the application should be refused.

8.2.13. I note the Planning Authority considered the proposal '*would contravene materially an objective contained in Galway County Development Plan*' i.e. Objective RHO4. I do not share the Planning Authority's opinion that the proposal 'contravenes materially' objective RHO4. The Board should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Acts.

8.3. Ribbon Development

8.3.1. The local road is under significant pressure from one-off rural housing. There are a considerable number of houses from the junction of the local road with the R336 regional road to, and past the application site. I note c. 11 existing houses on both sides of the road in the immediate vicinity of the site.

8.3.2. Appendix 4 of the 2005 Rural Housing Guidelines provides an example of ribbon development where 5 or more houses exist on any one side of a given 250 metres of road frontage.

8.3.3. The proposed development would be the fourth house within c.170m on the western side of this road. It is also noted there would be the potential for an infill site to the south should the proposed house be permitted. It is considered that the proposal will not exacerbate ribbon development in the context of the example given. However, it must be understood that this is only one example and does not preclude consideration of other examples including the extent of one off houses on the other side of the road and coalescence of same.

8.3.4. Appendix 4 of the guidelines provide other factors to consider-

- The type of rural area and circumstances of the applicant,
- The degree to which the proposal might be considered infill development, and
- The degree to which existing ribbon development would be extended or whether distinct areas of ribbon development would coalesce as a result of the development.

As per section 8.2 above the site is located in a Rural Areas Under Strong Urban Influence. The proposal cannot in my opinion be considered infill development.

There are also five existing houses on the opposite side of the road within 250m of the application site. Having considered both sides of the road it is my opinion that a distinct areas of ribbon development exists and would further coalesce as a result of the proposed development.

- 8.3.5. Appendix 4 of the Guidelines details that planning authorities will need to arrive at a balanced and reasonable view in the interpretation of the above criteria taking account of local circumstances, including the planning history of the area and development pressures. In this regard I note the guidelines clearly state the circumstances of the applicant are to be considered. However and as already determined, the applicant has not demonstrated compliance with national or local rural housing policy for this area. As such it is considered that the proposed development would consolidate and contribute to the build-up of ribbon development in this area and should be refused.
- 8.3.6. The Planning Authority have not raised concerns in this regard. Accordingly the Board may consider this a new issue and seek the views of the parties. However, having regard to the other substantive refusal reasons in the overall assessment, it may not be considered necessary to pursue the matter.

8.4. **Wastewater**

- 8.4.1. The planning authority have also refused permission having regard to the poor drainage characteristics on the site including the low lying nature of the site in the context of the local environs, water ponding in test holes and rushes present there in.
- 8.4.2. In the appeal the applicant contends the 'P' holes do provide drainage, there is no ponding or streams and rushes are minimal to the left of the site. The application proposes a raised percolation area which will provide 1.2m above the ground level and the water table is located 0.9m below ground level. The appeal contends that no consideration was given to the raised mound.
- 8.4.3. The overall proposal is for a packaged wastewater treatment system with a minimum 54 sq.m polishing filter to accommodate a P.E of six persons.
- 8.4.4. The Site Characterisation Report (SCR) identifies the site within a "Poor" aquifer category and an "Extreme" vulnerability classification in the GSI Groundwater maps.

The CoP indicates that the site falls within the R2(1) response category where on-site systems are acceptable subject to normal good practice. The CoP also states-

“Where domestic water supplies are located nearby, particular attention should be given to the depth of subsoil over bedrock such that the minimum depths required in Section 6 are met and that the likelihood of microbial pollution is minimised.”

In this regard it is noted that the area appears to be served by a public water supply.

- 8.4.5. The trail hole assessment in the SCR indicates bedrock was encountered at 1.1m and the water table at 1.0 m. Water Ingress was recorded at 0.10 but has not been identified in the trail hole layers or Evaluation section.
- 8.4.6. A ‘T’ test was not carried out presumably due to the high water table and proximity of bedrock. The SCR records a ‘P’ test value of 11.33 min/25mm, which is within the acceptable range for a secondary treatment system with a raised polishing filter.
- 8.4.7. Having reviewed the proposed site layout plan drawing the proposed treatment system and raised polishing filter appears to comply with the CoP requirements in relation to separation distances. It is noted that the area of the polishing filter has been calculated based on a Population Equivalent (PE) of 6 proposing a minimum area of 54 sq.m. This is in accordance with the 2013 Design Capacity Requirements.
- 8.4.8. During the site inspection the trial hole was observed as still open. It was located to the rear of the site in a local mound and slightly higher than the surrounding area. The trial hole was almost completely full of standing water as were the ‘P’ holes. It was also noted that ponding was evident on much of the site including near the roadside boundary, with animal poaching (hoof marks) visible throughout the site. There also appeared/sounded like a drainage ditch along the western boundary of the site near the rear garden of the neighbouring house.
- 8.4.9. As per the SCR the trail hole and ‘P’ test holes were examined and soaked in September. While I accept the level of the water table can vary over the months of a year, evidence of mottling is usually indicative of such variance. I am concerned the trail hole as per the SCR does not appear to accurately reflect the condition of the trial hole during my inspection in mid-March. In particular it does not sufficiently account a significantly higher water table almost at ground level in a localised

mound. The SCR specifically states- 'water rose to 1m below ground level'. A P test result of 11.33 would suggest relatively quickly draining soils from 0.4m but the evidence during my inspection would suggest otherwise.

- 8.4.10. It is my opinion that there are significant discrepancies between the site during my site inspection and the submitted SCR including the identified location of the water table, evidence of ponding throughout the site and the subsoil conditions. I also noted the presence of a large number of one off houses in the area. The proposed development would result in a proliferation of wastewater treatment systems discharging to the groundwater system. As such I am not satisfied that the proposed development would not run a risk to groundwater and would be prejudicial to public health and should, therefore be refused.

8.5. Sightlines and Road Network

- 8.5.1. The local road fronting the site is a minor in nature c. 2.5-2.8m in width and appears to predominantly serve local traffic with low road speeds. The proposed site layout plan shows sightlines of 70m in both directions. This will require setting back the existing roadside boundary in order to achieve the southern sightline.
- 8.5.2. It is considered that the narrow nature of the road and in particular the vertical and horizontal alignment contribute to restrict traffic speed and act as a traffic calming measure. Therefore, the proposed entrance is considered satisfactory for a one off house in this context.

8.6. Design and Siting

- 8.6.1. The Planning Authority have raised no concerns in relation to the design and siting of the proposed house. Having visited the site and inspected the development pattern in the area I note the presence of a variety of house types. I also noted the distance the house is proposed to be set back in line with the neighbouring property to the west and the ability of the subject site to assimilate the proposed house.
- 8.6.2. The proposed design is a storey and a half style dwelling, with dormer style windows off the wall plate to the front elevation. This is in keeping with the existing house to the north of the site. The house has a standard pitch roof with single storey porch feature to front and side annex to the south of the house. It's footprint is not

considered excessive in the context of the site. Overall, the design would not be visual intrusive on the local landscape and as such is considered acceptable.

8.7. Appropriate Assessment

- 8.7.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

9.0 Recommendation

- 9.1. I recommend that permission is refused for the following reasons

10.0 Reasons and Considerations

1. Having regard to the location of the site within a rural area under strong urban influence as identified in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, such as the current case, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in the rural area, having regard to the viability of smaller towns and rural settlements, and by reference to the rural housing provisions of the Galway County Development Plan 2015-2021, it is considered that the applicant, has not sufficiently demonstrated an economic or social need to live in this rural area having regard to the viability of smaller towns and rural settlements in accordance with national policy. In this regard, the Board is not satisfied that the applicant’s housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. Therefore, the proposed development does not comply with National

Policy Objective 19, the provisions of the 2005 Guidelines and Objective RHO4 of the Galway County Development Plan 2015-21, 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.

2. Having regard to the high water table on site and the discrepancies set out in the site characterisation report submitted with the application, the Board cannot be satisfied that the proposed development, taken in conjunction with existing development in the vicinity, would not significantly and negatively impact on the environment and would result in an excessive proliferation and concentration of developments in the area served by wastewater treatment systems and discharging to the groundwater. It is considered therefore, that the proposed development would be prejudicial to public health.
3. The proposed development when taken in conjunction with existing development in the vicinity of the site would consolidate and contribute to the build-up and coalescence of ribbon development in this open rural area. This would militate against the preservation of the rural environment and lead to demands for the provision of further public services and community facilities. The proposed development would, therefore, be contrary to the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April 2005 and to the proper planning and sustainable development of the area.

Adrian Ormsby
Planning Inspector

31st of March 2021