



An
Bord
Pleanála

Inspector's Report

ABP-311442-21

Development	House, garage, wastewater treatment system and percolation area.
Location	Caherhugh Townland, Belclare, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	211204
Applicant(s)	Pat Mc Hugh
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First - Party
Appellant(s)	Pat Mc Hugh
Observer(s)	Anne Killilea Niall Killilea Patricia Silke
Date of Site Inspection	6 th April 2022
Inspector	Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site is located on the western side of a local access road, c. 2 km south-east of Belclare Village.
- 1.2. The appeal site has a stated area of 0.314 ha, comprises a long, narrow field and is relatively flat. The appeal site is irregular in shape and narrows towards the north-east, where access to the local access road is provided via a gated agricultural entrance. Site boundaries comprise a stone wall to the east and west, a post and wire fence and stone wall to the south and a post and wire fence/hedgerow along the northern boundary. There is a distinctive tree lined avenue serving an adjacent property to the south of the site.
- 1.3. The area in the vicinity of the appeal site is characterised detached bungalows on individual sites. There is a two storey dwelling and a dormer dwelling to the south of the appeal site. There is no footpath along the road at this location but the properties to the north of the appeal site have grass/paved verges between their front boundaries and the public road.
- 1.4. There is a sharp bend in the road to the front of the appeal site. There are a number vehicular entrances at this location, including an entrance serving an adjoining farm and a dwelling to the immediate south.

2.0 Proposed Development

- 2.1. The proposed development comprises;
 - Construction of a single storey, three-bedroom, detached dwelling:
 - stated floor area c. 160 sqm.
 - ridge height c. 5.3 metres.
 - separation distances indicated as c. 5 metres to the northern boundary, c. 45 metres to the eastern boundary, c. 37 metres to the western boundary and c. 9 metres to the southern site boundary.
 - A two-storey domestic garage:
 - stated floor area c. 153 sqm.

- ridge height c. 8.5 metres.
- positioned c. 5 metres from the southern site boundary.
- The installation of a packaged waste water treatment unit with a polishing filter.

Whilst not referred to in the development description contained in the public notices, the proposed development also entails;

- A new vehicular access, utilising an existing agricultural entrance.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to **Refuse** Permission on the 26th August 2021 for three reasons which can be summarised as follows;

1. The proposed development, by reason of its siting on a narrow site, the extent of existing housing on adjoining sites and the very poor vehicular access to it, would represent uncoordinated and disorderly backland development in an un-serviced rural area.
2. Access is proposed by way of a vehicular entrance off a local road with limited roadside boundary in close proximity to a sharp bend where the proposed vehicular entrance has inadequate sightlines in both directions and would interfere with the free flow of traffic, thereby endangering public safety by reason of traffic hazard.
3. The site is located in a rural area which is subject to strong urban influence, as identified in the Sustainable Rural Housing Guidelines for Planning Authorities, 2005. The applicant has not demonstrated a rural housing need with the criteria set out in the Galway County Development Plan or the Sustainable Rural Housing Guidelines for Planning Authorities. Accordingly, granting permission would be contrary to the provisions of the Galway County Development Plan 2015 – 2021 and the Sustainable Rural Housing Guidelines for Planning Authorities.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer includes the following comments;

- The applicant has not submitted a supplementary application form or supporting documentation demonstrating his linkages to the area, or a proven rural housing need and connection to the area.
- The Planning Authority have serious concerns regarding the lack of sightlines at the proposed entrance close to a sharp bend.
- The area of the proposed splayed entrance is not within the ownership of the applicant and legal documentation/proof would be required to confirm the ownership of this area.
- No justification has been provided for the size of garage proposed, which is considered out of character with the rural area.

3.2.2. Other Technical Reports

Architectural Conservation Officer - The tree lined avenue of Caherhugh is located to the south of the site and is considered to be an important historic landmark. Objective NHB 11 of the Galway County Development Plan considered to apply (*protect important trees, tree clusters and hedgerows.... and seek to retain natural boundaries*).

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The following is a summary of the main issues raised in the third-party observations received by the Planning Authority;

- Concerns in relation to the impact of the proposed development on adjoining property in respect of overlooking.

- The proposed development breaks the building line, is backland development, and is out of keeping with the rural area.
- The proposed entrance is located on a bend with minimal sightlines and would be a traffic hazard.
- The proposed house and garage are higher than other properties in the vicinity, would overlook and dominate adjacent residences, negatively impacting visual and residential amenities.
- The floor area of the proposed garage is almost equal to the dwelling proposed.
- Part of the application site (indicated as 'Area A') is in the ownership of the Killilea's (extract from Property Registration Authority is enclosed). The boundary between the applicant's lands and the third-party lands has always been a double stone wall. There has never been access from the applicant's site onto this area of land. The Killilea's object to the inclusion of this area within the application site. The Land Registry Map appears to indicate that the area marked 'A' is part of the McHugh property however this is incorrect according to the Killilea's submission.
- The proposed effluent system is less than 80 metres from a private well, less than the minimum desirable distance.
- Concerns in relation to the impact of the proposed garage on the Beech trees to the south of the appeal site. Storm damage to these trees could impact the proposed garage.
- The site notice is not in the location indicated on the site location map. The site notice is on the Killilea's property.

4.0 Planning History

Appeal Site

None

5.0 Policy Context

National Policy

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

National Policy Objective 19 of the National Planning Framework states -

*‘Ensure, in providing for the development of rural housing, that a distinction is made between areas under urban influence, i.e. within the commuter catchment of cities and large towns and centres of employment, and elsewhere:.....
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;*

Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10) 2009

The Code of Practice (CoP) sets out guidance on the design, operation and maintenance of on-site wastewater treatment systems for single houses. The EPA CoP 2009 was revised in March 2021, replacing the previous Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10) issued in 2009. As stated in the preface of the revised CoP, the revised CoP *‘applies to site assessments and subsequent installations carried out on or after 7th June 2021. The 2009 CoP may continue to be used for site assessments and subsequent installations commenced before 7th June 2021 or where planning permission has been applied for before that date’*. I note that the planning application was lodged with Galway County Council on the 5th July 2021 and the site assessment carried out in May 2021. Based on the forgoing, the EPA CoP 2009 is considered to be the relevant CoP for the purpose of this appeal.

Ministerial Guidance

Sustainable Rural Housing, Guidelines for Planning Authorities (2005)

The Guidelines provide criteria for managing rural housing, whilst achieving sustainable development. Planning Authorities are required to identify 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 within an area identified as a 'Rural Area Under Strong Urban Influence (GTPS) (see Map RH01, Galway County Development Plan). The Guidelines state that these areas 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.

Appendix 4 of the Sustainable Rural Housing, Guidelines for Planning Authorities provides policy on ribbon development. The guidelines recommend 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.

Development Plan

The relevant development plan is the Galway County Development Plan 2015-2021.

The appeal site is not subject to a specific land-use zoning.

The Draft Galway County Development Plan 2022-2028 is currently at material amendments stage and is due to be adopted by the middle of May 2022, coming into effect 4 weeks after.

The provisions of the Galway County Development Plan 2015-2021 relevant to this assessment are as follows:

- Objective RHO 1 - Rural Housing Zone 1 (Rural Area Under Strong Urban Pressure-GTPS).
- Objective RHO 9 – 'Design Guidelines'.

- Objective RHO 12 – ‘Waste Water Treatment Associated with Development in Un-Serviced Areas’.
- Table 13.3 - Sightline requirements.
- Objective NHB 11 – ‘Trees, Parkland/Woodland, Stonewalls and Hedgerows’.

5.1. Natural Heritage Designations

The appeal site is not located within or close to any European Site.

5.2. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity of the site and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first-party appeal against the decision to refuse permission. The grounds for appeal can be summarised as follows;

- The site has frontage of c. 22 – 25 metres and is adequate for any domestic development.
- The proposed development would not impact on the houses to the north. The applicant could erect semi-mature trees or a fence to provide screening for the dwelling to the immediate north, or if given an opportunity through a request for further information, could have moved the proposed dwelling forward by 20 metres in line with the house to the north, also addressing the issue of backland development.

- Regarding the access arrangement, the applicant's brother as the landowner, would consent to any remedial works deemed necessary (see Folio No. GY25399).
- The road is not busy and traffic surveys could have been carried out to ascertain the required visibility splays if the applicant was given an opportunity.
- The applicant is/was in rental accommodation, hence the reason for applying for planning permission on family lands. If the applicant was given an opportunity, he could have provided documentation/evidence of his housing need.

6.2. Planning Authority Response

None received.

6.3. Observations

Observations have been received and can be summarised as follows;

- Concerns in relation to the impact of the proposed development on the property to the north in respect of overlooking.
- The proposed development breaks the building line, is backland development, and is out of keeping with the rural area.
- The proposed entrance on a bend with minimal sightlines and would be a traffic hazard.
- The proposed house and garage are higher than other properties in the vicinity, would overlook and dominate adjacent residences, negatively impacting visual and residential amenities.
- The applicant continues to assert ownership over an area at the entrance gate on the basis of a Land Registry Map. The Killilea's are satisfied this is a recent mapping error by Land Registry. The applicant has no claim to this area of land, has never used or occupied it, and has never sought or received permission to enter or occupy it. The original boundary wall between the Killilea's land and Mr. McHugh's land has existed without dispute for decades.

- Concerns in relation to the proximity of the proposed effluent system to the Killilea's private well and the proximity of the proposed garage to the Killilea's sites.

7.0 **Assessment**

7.1 Having examined the application details and all other documentation on file, including the appeal, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Design/Siting & Impact on Visual and Residential Amenity.
- Refusal Reason 1 – Principle of development/Backland Development.
- Refusal Reason 2 – Access.
- Refusal Reason 3 – Rural Housing Policy.
- Other Issues.
- Appropriate Assessment.

7.2 **Design/Siting & Impact on Visual and Residential Amenity**

7.2.1 The appeal site is located in an area designated as a 'Class 1 Landscape' in the Galway County Development Plan. This landscape typology is defined as having a 'low' landscape sensitivity. Map FVP1 of the Galway County Development Plan also identifies the appeal site as being affected by a 'protected view/focal point', referred to as 'Tuam High Cross'.

7.2.2 The appeal site is flat and is not overtly visible within the adjoining landscape given the dwellings to the north and the nature of the site boundaries. The proposed single storey dwelling is generally in keeping with the character of the houses in the vicinity and I do not consider that the proposed dwelling would result in any significant negative impacts on the visual amenities of the area.

7.2.3 However, I consider the scale, and in particular the height of proposed garage to be excessive at this location. If the Board are minded to grant permission for the proposed

development, I recommend that a condition be attached stipulating that the ridge height of the garage does not exceed 5 metres.

- 7.2.4 There is a grouping of mature trees associated with Caherhugh House, to the south of, but not within the appeal site. I note that a third-party submission to the Planning Authority raised concerns regarding the potential impact of the proposed garage on these trees. Objective NHB 11 of the Galway County Development Plan requires the protection of important trees, tree clusters and hedgerows within the County. Having regard to the separation distance between these trees and the proposed garage, at c. 5 metres, I do not consider that the proposed development would negatively impact this stand of trees and the proposal therefore accords with Objective NHB11.
- 7.2.5 An observation raises concerns in relation to the impact of the proposed dwelling on the residential amenity of the property to the west. The proposed dwelling would be positioned to the rear of the adjoining property to the north-west and would be located a distance of c. 5 metres from the north-western site boundary. Having regard to the single storey nature of the proposed dwelling, the separation distance between the proposed dwelling and this adjacent dwelling, and to the existing mature trees/hedgerow along this boundary, I do not consider that the proposed dwelling would have any significant negative impacts on the amenity of this adjoining property arising from overlooking.
- 7.2.6 In summation, having regard to the scale, design and relationship of the proposed dwelling to adjoining site boundaries, I do not consider that the proposed dwelling would result in any significant negative impacts on the residential amenity of adjoining properties in the vicinity of the site.
- 7.2.7 Regarding the impact of the proposed garage on the residential amenity of adjoining property, as addressed under paragraph 7.2.3, if the Board are minded to grant permission for the proposed development, subject a condition reducing the height of the garage, I do not consider that the garage would result in a significant negative impact on the residential amenities of adjoining properties.

7.3 Refusal Reason 1 – Principle of development/Backland Development

7.3.1 The first reason for refusal cited by the Planning Authority relates to the principle of the proposed development at this location, specifically it is considered that the proposal would constitute uncoordinated and disorderly backland development.

7.3.2 The appeal site is broadly rectangular in shape, save for an area which tapers in towards the front/east of the site. In response to the characteristics of the site, the dwelling is positioned at/close to the widest part of the site and is set back c. 45 metres from the public road. By contrast, the properties to the north of the appeal site are set back c. 15 – 30 metres from the public road. I note that the proposed dwelling is not positioned directly to the rear of another dwelling within the site and is not located directly to the rear of the dwelling to the north, but rather has an oblique relationship to this dwelling, as a result of the shape of the appeal site. In this context I do not consider that the proposal would constitute backland development and would not have a negative impact on the residential amenity of surrounding properties by virtue of its sitting.

Ribbon Development – New Issue

7.3.3 The emergent development pattern along the local road serving the site is characteristic of ribbon development and whilst not raised by the Planning Authority or by third party appellants, I consider that the proposed development would result in ribbon development, defined in the Sustainable Rural Housing, Guidelines for Planning Authorities (2005) as '*5 or more houses on any one side of a given 250 metres of road frontage*'. I note that the proposed development would be the sixth dwelling on the western side of the road over a 250-metre distance. The Sustainable Rural Housing, Guidelines for Planning Authorities recommends against ribbon development and provides that in assessing individual housing proposals in rural areas, Planning Authorities need to form a view as to whether that proposal would contribute to or exacerbate ribbon development, based on a number criteria including; 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.

7.3.4 The appeal site is identified in the Galway County Development Plan as being an 'Area Under Strong Urban Influence', where there are strong pressures for one-off dwellings and where applicants for dwellings are required to demonstrate their rural linkage to the area. As addressed under paragraph 7.5.1 (see overleaf), I do not consider that the applicant has adequately demonstrated his rural link to the area. I do not consider the proposal to constitute infill development, given the stand-alone nature of the proposal. Having regard to the resultant coalescence of ribbon development which would arise on foot of the proposal, I consider that this form of development is unsustainable in rural areas, including the appeal site, that it would lead to an increased demand for the uneconomic provision of further public services and facilities in this rural area and would not be in accordance with the Sustainable Rural Housing, Guidelines for Planning Authorities, 2005. This is a new issue and the Board may wish to seek the views of the parties. However, having regard to the other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter further.

7.4 Refusal Reason 2 – Access

7.4.1 The second reason for refusal cited by the Planning Authority concerns the adequacy of the proposed vehicular entrance, in particular the adequacy of sightlines and the location of the entrance in proximity to a bend in the road. The Planning Authority also refer in their reason for refusal to the reliance on lands outside applicant's control to facilitate sightlines.

7.4.2 The Planner's report refers to a sightline requirement of 70 metres, which equates to a speed limit of 50 kmph, as per Table 13.3 'Sight Distances Required for Access onto National Primary and Secondary Roads' of the Galway County Development Plan. I note that the corresponding sightline requirement for a 50 kmph road, as set out in Table 4.2 of DMURS, is 45 metres. In the event of a posted speed limit of 50 kmph I consider that DMURS would be the applicable policy, noting the advice contained in Circular PL17/2013. However, noting the extent of the 50 kmph speed limit (see Map T-05 of the Galway County Council Traffic By-Law 2018) and the remoteness of the appeal site from this area, I consider the appeal site to be outside the 50 kmph area.

7.4.3 Based on the site layout plan submitted, sightlines of c.36 metres are achievable in a northerly direction/turning left from a set-back of 2.4 metres from the edge of the road.

Whilst the sightline depicted on the site layout plan does not extend further, noting the extent of grass verges along the front of the properties to the north of the proposed entrance, I consider that sufficient sightlines to the north are achievable. Sightlines of c. 50 metres are depicted to the east/turning right from a set-back of 2.4 metres from the edge of the road. I note however that the achievement of this sightline would be dependent on hedgerow at/on the bend on the opposite side of the road being removed/maintained. In the absence of this, sightlines in this direction are restricted to c. 30 metres. I note that the area concerned would not appear to be within the ownership/control of the applicant and even if the lesser sightline requirement of 45 metres in DMURS is applied, the required sightline to the east is not achievable.

7.4.4 There are a number of existing entrances directly onto the bend at this location, specifically two field entrances to the north-east and two vehicular entrances serving residences to the south-east. The proposed vehicular entrance would be the fifth entrance at this location. There are additional hazards associated with agricultural entrances, given their use by machinery. I have serious concerns in relation to the number of entrances at this location, particularly noting the alignment of the road at this location which impediments forward visibility, and the likelihood of agricultural machinery/vehicles using the entrances in the vicinity of the appeal site. Having regard to the forgoing, I consider that the proposal would give rise to a potential traffic hazard.

7.5 Refusal Reason 3 – Rural Housing Policy

7.5.1 The applicant is seeking permission for a dwelling in the rural area. The appeal site is identified in the Galway County Development Plan as being an 'Area Under Strong Urban Influence' and in accordance with National Policy Objective 19 of the National Planning Framework (NPF) the provision of single housing in such cases is based on the core consideration of demonstrable economic or social need to live in a rural area and siting and design criteria. Additionally, Objective RHO 1 of the Galway County Development Plan 2015-2021 sets out specified circumstances where applicants in such contexts may be considered eligible for a dwelling in a rural area. Depending upon which criteria of Objective RHO 1 an application for a dwelling is being made, applicants are required to demonstrate their 'Rural Links' and/or 'Substantiated Rural Housing Need' to the area. The applicant has not submitted a supplementary application form nor has any supporting information been furnished in support of the application for a dwelling in the rural area. I note that the applicant states in his appeal

submission that this information could have been provided to the Planning Authority had he been requested to do so through a request for further information. Importantly however I note that the applicant has not submitted any such documentation with the appeal submission and save for reference in the applicant's appeal submission to residing in rental accommodation as the reason for applying for planning permission on family lands, no supporting information has been submitted to demonstrate compliance with Objective RHO 1 of the Galway County Development Plan 2015-2021. Having regard to the forgoing, I consider that the applicant has not demonstrated that he meets the criteria of demonstrable economic or social need to live in a rural area set out in the NPF, a rural generated housing need that meets the test set by the Sustainable Rural Housing Guidelines, or rural links and/or substantiated rural housing need as required by the Galway County Development Plan 2015-2021.

7.6 **Other Issues**

7.6.1 Title

Observers to the appeal (the Killilea's) contest the ownership of part of the appeal site, specifically an area of land at the entrance to the site. The Killilea's have submitted a map from the Property Registration Authority purporting this area of land to be owned by them. The applicant however claims that this area of land is registered to his brother and I note that Land Registry documentation attests to this. I note that the applicant's brother has supplied him with a letter of consent to make the planning application. For the purpose of making a planning application I consider that the applicant has demonstrated a sufficient legal interest in the application site. Section 5.13 of the Development Management Guidelines provides that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land, these are ultimately matters for resolution in the Courts. In this regard, I consider that the provisions of Section 34(13) of the Planning and Development Act 2000, as amended pertain. This provides that a person is not entitled solely by reason of a permission to carry out any development.

7.7 Waste Water Treatment

The applicant's Site Characterisation Report identifies that the subject site is located in an area with a Regionally Important Aquifer where the bedrock vulnerability is extreme. A Ground Protection Response of R2² is noted by the applicant. Accordingly,

I note the suitability of the site for a treatment system (subject to normal good practice) and subject to condition (1) 'that there is a minimum thickness of 2 metres of unsaturated soil/subsoil beneath the invert of the percolation trench of a septic tank or (2) 'a secondary treatment system is installed with a minimum thickness of 0.3 metres of unsaturated soil/subsoil with a P/T value from 3-75 (in addition to the polishing filter which should be a minimum depth of 0.9 meters) beneath the invert of the polishing filter (i.e. 1.2 metres in total for a soil polishing filter)'. The applicant's Site Characterisation Report identifies that there is no Groundwater Protection Scheme in the area.

7.7.1 The trail hole depth referenced in the Site Characterisation Report was 1.5 metres. Bedrock was encountered in the trail hole at a depth of 1.5 metres. No water was observed in the trail hole. The soil conditions found in the trail hole are described as comprising stones and gravely compact clay. Percolation test holes were dug and pre-soaked. A T value of 13 was recorded. A P test was carried out and a P value of 13 was recorded. The EPA CoP 2009 (Table 6.3) confirms that the site is suitable for a septic tank system or a secondary treatment system discharging to groundwater. I observed the trail hole and the percolation test holes on the site and the information contained in the Site Characterisation form is consistent with my observations on the site. I am also satisfied that the proposal complies with the required separation distances set out in Table 6.1 of the CoP 2009.

7.7.2 The Site Characterisation Report submitted with the application concludes that the site is suitable for treatment of waste water, it is proposed to install a packaged waste water treatment system (EuroTank BAF 8 PE Secondary Waste Water Treatment unit) and polishing filter (45 sqm). Based on the information submitted, I consider that the site is suitable for the treatment system proposed.

7.7.3 An observation to the appeal refers to a private well on an adjacent site being in proximity to the proposed effluent system. The location of this well is described in the submission to the Planning Authority as being to the north-east of Mrs. Anne Killilea's house. The applicant has not indicated the location of a well on the adjoining lands and the Site Characterisation Report does not refer to the presence of wells in the vicinity. Having regard to the specifics of the appeal site, Table B.3 'Recommended Minimum Distance Between A Receptor And A Percolation Area Or Polishing Filter' of the EPA CoP 2009 indicates a minimum required distance of 25 metres in situations

where a domestic well is alongside a percolation area/polishing filter with no gradient. I note that the appeal site is relatively flat, stated as having a gradient of 1<20 in the Site Characterisation Report and that a Secondary Waste Water Treatment unit and polishing filter is proposed. Noting the extent of the appeal site, the blue line boundary, and proximity to the location of the well as described in the observation to the Planning Authority, I consider that the separation distance between any well on third party lands and polishing filter would be acceptable.

Archaeology

7.8 The report of the Planning Officer refers to the presence of archaeology on the site/in the vicinity of the site. No further elaboration is provided and it is unclear whether this is a typographical error. I have reviewed the historic map viewer of the National Monuments Service. Archeologically features in the vicinity include a Country House c. 200 metres south of the appeal site, a Ringfort c. 300 metres north-west of the appeal site and a second Ringfort c. 300 metres west of the appeal site. Importantly however there are no archaeological features within the appeal site.

7.9 **Appropriate Assessment**

Having regard to the nature and limited scale of the proposed development and the lack of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect either individually or in combination with other plans or projects on any European site.

8.0 **Recommendation**

8.1. Having regard to the above it is recommended that planning permission be refused for the proposed development based on the following reasons and considerations.

9.0 Reasons and Considerations

1. Having regard to the location of the site within an Area Under Strong Urban Influence, as identified in Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005 and in an area where housing is restricted to persons demonstrating local need in accordance with the current Galway County Development Plan 2015-2021, it is considered that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines or the Development Plan for a house at this location. The proposed development, 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 proposed development would, therefore, be contrary to the proper planning and sustainable development of the area
2. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted in a north-easterly direction. In addition, it is considered that the multiplicity of entrances at this location would also increase the propensity for vehicular conflicts and traffic hazard.
3. The proposed development would constitute undesirable ribbon development in a rural area outside lands zoned for residential development, contrary to the Sustainable Rural Housing, Guidelines for Planning Authorities, 2005 and would therefore, be contrary to the proper planning and sustainable development of the area.

Ian Campbell
Planning Inspector

29th April 2022