

An  
Bord  
Pleanála

**Board Direction**  
**BD-014458-23**  
**ABP-314493-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/11/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

#### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

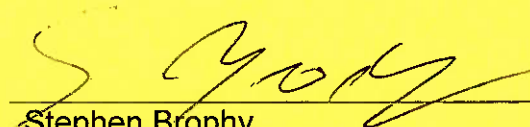
### **Reasons and Considerations**

1. The proposed development sites residential development and facilitating infrastructure on lands zoned in the Ballinasloe Local Area Plan 2022-2028 as Open Space/ Recreation and Amenity (OS) which seeks '*To protect and enhance existing open space and provide for recreational and amenity space*' and as Business and Enterprise (BE) which seeks '*To provide for the development of business and enterprise*' In the LAP land use matrix table, residential use is classified as 'not normally permitted' on lands zoned as OS and BE and therefore the proposed development materially contravenes the OS and BE zoning objectives.

2. *It is considered that the proposed development would materially contravene the provisions of the Ballinasloe Local Area Plan 2022-2028, which provides that no development should be permitted in Phase 2 Residential lands, which forms a significant proportion of this application site, until a substantial portion of all Phase 1 lands have been completed. Therefore to allow this development would be premature and would materially contravene Land Use Zoning Objectives as well as policy provisions BKT 6 and BKT 7 (sic, BKT 8) of the Ballinasloe Local Area Plan 2022-2028 and as such would be contrary to the orderly and phased development of the town and would therefore be contrary to the proper planning and sustainable development of the area.*
3. The proposed development does not achieve the necessary criteria of distinctiveness, layout, public realm, variety, and detailed design required for quality residential urban design by the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and accompanying manual, nor of highly connected network, block scale, permeability, and connectivity required for quality street design by the Design Manual for Urban Roads and Streets. As such, the proposed development is considered to be of a substandard layout injuring the amenity of future residents, a suboptimum development solution for the site requiring the removal and segregation of field boundaries which are of local biodiversity and cultural heritage value, and a roads dominated layout promoting the use of private cars over other sustainable modes of transport. On the basis of the information submitted the proposed development is not considered to incorporate an appropriately designed and safe layout for all road users including cyclists in particular, and would likely endanger public safety by reason of traffic hazard. The proposed development is not consistent with CDP Policy Objectives WC 1 and NNR 3, or DM Standard 31. The proposed development would injure the amenities of the area, including the amenities of future residents, and would therefore be contrary to the proper planning and sustainable development of the area.
4. The applicant has failed to adequately demonstrate site suitability for the proposed surface water drainage system, or that the system is robustly designed, incorporating sufficient SuDS measures. As such, the proposed development fails to comply with the provisions of the Galway County

Development Plan 2022-2028 and Ballinasloe Local Area Plan 2022-2028 including CDP DM Standard 67, LAP DM Standard 2, and LAP Policy Objectives BKT 48. Further, on the basis of the information provided with the application, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on European site River Suck Callows SPA (site code 004097) in view of the site's conservation objectives.

**Board Member**

  
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Stephen Brophy

**Date:** 06/11/2023