An Bord Pleanála

Ordú Boird
Board Order
ABP-314432-22

Na hAchtanna um Pleanáil agus Forbairt 2000 go 2022

Údarás Pleanála: Comhairle Contae na Gaillimhe

Uimhir Thagartha ar an gClárleabhar Pleanála: 22/60312

ACHOMHARC ó Donald Walsh faoi chúram James O'Donnell Planning Consultancy Services, Suite 3, An Tríú hUrlár, Áras Ross, Plás Victoria, An Fhaiche Mhór, Gaillimh in aghaidh cinneadh a rinne Comhairle Contae na Gaillimhe an 4ú lá Lúnasa, 2022 chun cead a dhiúltú.

An Fhorbairt atá Beartaithe (1) Dhá cheann déag d'aonaid chónaithe a thógáil. Beidh na haonaid seo comhdhéanta de dhá cinn de thithe scoite dhá urlár ceithre sheomra leapa, dhá cinn de thithe leathscoite dhá urlár ceithre sheomra leapa agus ceithre cinn d'árasáin dhá sheomra leapa laistigh d'fhoirgneamh dhá urlár, mar aon le Foirgneamh Stórála Fóntais coimhdeach ar chúl. (2) Rochtain ar bhóthar rochtana Eastát Ghleann Mhuiris agus ar na cosáin phoiblí atá ann cheana féin. (3) Spás taitneamhachta pobail, tírdhreachtú agus cóireálacha nuashonraithe teorann a sholáthar. (4) Ceangal leis an bpríomhlíonra poiblí agus leis an séarach poiblí, mar aon leis na hoibreacha agus na seirbhísí suímh go léir a bhaineann leo. Ar fad ag An Chreig Bhuí, Baile Chláir, Co. na Gaillimhe

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An Cinneadh

Cead a DHIÚLTÚ don fhorbairt bheartaithe thuasluaite de réir na gcúiseanna agus na nithe atá leagtha amach thíos.

Cúiseanna

Ag féachaint do Phlean Forbartha Chontae na Gaillimhe 2022 - 2028, do shuíomh na forbartha a bheartaítear ar thailte criosaithe cónaithe (Céim 2) i lonnaíocht Bhaile Chláir, mar atá leagtha amach i bPlean Straitéiseach an Cheantair Uirbigh atá mar chuid den Phlean Forbartha, agus do Chuspóir Beartais GCMA1, ina leagtar amach nach féidir tailte Cónaithe (Céim 2) a fhorbairt de ghnáth laistigh de shaolré an Phlean Forbartha seo, faoi réir eisceachtaí sonraithe, níl an Bord sásta go bhfuil forais eisceachtúla leordhóthanacha curtha i láthair ag léiriú gur cheart an áit chónaithe molta a mheas ar thailte Cónaithe (Céim 2) i mBaile Chláir ag an am seo. Measann an Bord, dá bhrí sin, go sáródh an fhorbairt bheartaithe Cuspóir Criosaithe Talamhúsáide GCMA 1 de Phlean Straitéiseach an Cheantair Uirbigh atá mar chuid d'Imleabhar II de Phlean Forbartha Chontae na Gaillimhe 2022 - 2028 agus go mbeadh sí contrártha le pleanáil cheart agus forbairt inbhuanaithe an cheantair.

Agus cinneadh á dhéanamh aige gan glacadh le moladh an Chigire cead a thabhairt, níl an Bord sásta go raibh na forais eisceachtúla a cuireadh i láthair sách láidir lena léiriú nach féidir nó nach ndéanfar tailte Cónaithe (Céim 1) a fhorbairt laistigh de thréimhse an Phlean agus go háirithe chomh luath sin i ndiaidh do Phlean Forbartha Chontae na Gaillimhe 2022 - 2028 teacht i bhfeidhm ar an 20ú lá de Mheitheamh, 2022.

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Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/60312

APPEAL by Donald Walsh care of James O'Donnell Planning Consultancy Services, Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 4th day of August, 2022 by Galway County Council to refuse permission.

Proposed Development (1) The construction of 12 number residential units. These units will consist of two number four-bedroom two-storey detached houses, two number four-bedroom two-storey semi-detached houses, four number three-bedroomed two-storey terraced houses and four number two-bedroom apartments within a two-storey building, together with an ancillary Utility Storage Building to the rear. (2) Access onto the existing Gleann Mhuiris Estate access road and existing public footpaths. (3) Provision of communal amenity space, landscaping and updated boundary treatments. (4) Connection to public mains and public sewer, together with all associated site works and services. All at Cregboy, Claregalway, County Galway.

Decision

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

Reasons and Considerations

Having regard to the Galway County Development Plan 2022 - 2028, to the location of the proposed development on residential zoned lands (Phase 2) in the settlement of Baile Chláir, as set out in the Metropolitan Area Strategic

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Plan which forms part of the Development Plan, and to Policy Objective GCMA1, setting out that Residential (Phase 2) lands are generally not developable within the lifetime of this Development Plan, subject to specified exceptions, the Board is not satisfied that sufficient exceptional grounds have been presented demonstrating that the proposed residential development should be considered on Residential (Phase 2) lands in Baile Chláir at this time. The Board considers that the proposed development would, therefore, materially contravene Land Use Zoning Objective GCMA 1 of the Metropolitan Area Strategic Plan which forms part of Volume II of the Galway County Development Plan 2022 - 2028 and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board is not satisfied that the exceptional grounds presented were sufficiently robust to demonstrate that Residential (Phase 1) lands cannot or will not be developed within the Plan period and particularly so soon after the Galway County Development Plan 2022 - 2028 came into effect on the 20th day of June, 2022.

Eamonn James Kelly

Eamonn James Kelly **Comhalta den Bhord Pleanála atá údaraithe go cuí chun séala an Bhord a fhíordheimhniú**	**Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.**

Dátaithe ar an 6ú **lá seo de** mhí na Nollag **2023**