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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway County Council**

**Application** for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 31<sup>st</sup> day of August 2022 by Limehill Esker Limited care of of Ronnie Greene and Associates of Caher House, Loughrea, County Galway.

**Proposed Development comprises of the following:**

The proposed development consists of residential development (circa 15,820 metres squared gross floor area), consisting of 165 number residential units and all associated and ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works, including:

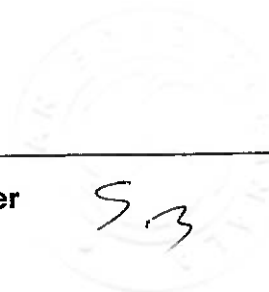
The development will consist of :

1. Block A1 and A2, each consisting of six number two-bedroom ground floor apartments, one number one-bedroom ground floor apartment, six number three-bedroom first floor duplex units, and one number three-bedroom second floor apartment.
2. Blocks B1 to B3 and B6 to B13 inclusive, each consisting of two number two-bedroom ground floor duplex units, two number three-bedroom ground floor duplex units, one number two-bedroom second floor apartment, and one number one-bedroom second floor apartment.

3. Blocks B4 and B5 inclusive, each consisting of one number two-bedroom ground floor duplex unit, two number three-bedroom ground floor duplex units, one number two-bedroom second floor apartment and one number one-bedroom second floor apartment.
4. House Type C, 32 number two-bedroom units in semi-detached pairs.
5. House Type E, 27 number three-bedroom units in triplet arrangements.
6. Provision of 281 number on-site car parking spaces incorporating 163 number spaces for residents of the apartment and duplexes, and 118 number in-curtilage car parking spaces for the housing units.
7. Provision of all water, surface water, foul drainage, utility ducting and public lighting and all associated siteworks and ancillary services.
8. All ancillary site development works including access roadways, footpaths, cycleways, pedestrian links, bicycle Sheds, waste storage areas, communal and open space, site landscaping, and boundary treatments. The site is generally bounded by the Dun Esker and Beechlawn Heights Estates to the east, the Esker Fields Estate to the west, greenfield residential zoned lands to the south, and a commercial park and a residential site under construction immediately to the north all located in the townlands of Dunlo and Pollboy, Ballinasloe County Galway.

## **Decision**

**Refuse permission for the above proposed development based on the reasons and considerations set out below.**




## 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 Ballinasloe Local Area Plan 2022-2028 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 Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual, A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009, nor of highly connected network, block scale, permeability, and connectivity required for quality street design by the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2019, as amended. 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 Galway County Development Plan 2022-2028 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 Sustainable Drainage System 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 Galway County Development Plan 2022-2028 DM Standard 67, Ballinasloe Local Area Plan 2022-2028 DM Standard 2, and Ballinasloe Local Area Plan 2022-2028 Policy Objectives BKT 48. Furthermore, 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.



**Stephen Brophy**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 28<sup>th</sup> day of November 2023