



An  
Bord  
Pleanála

Board Order  
ABP-320385-24

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**Taxes Consolidation Act 1997, as amended**

**Planning Authority: Galway City Council**

**Planning Authority Reference Number: GLWC-C15-RZLT-4**

**Appeal** by Cairn Homes Galway Limited care of MKO, Tuam Road, Galway in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the map of the Residential Zoned Land Tax by Galway City Council on the 27<sup>th</sup> day of June 2024 in respect of the site described below.

**Lands at:** Keeraun and Ballynahown East, Ballymoneen Road, Galway.

## **Decision**

The Board in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, and based on the reasons and considerations set out below, hereby decides to confirm the determination of the local authority.

## **Reasons and Considerations**

The lands identified as Lands at Keeraun and Ballynahowan East, Ballymoneen Road, Galway (Parcel ID GCLA00002384, GCLA00001274,

GCLA00002379) are located on lands zoned R-Residential in the Galway City Development Plan 2023-2029 and are, therefore, considered in scope of section 653B(a) of the Taxes Consolidation Act 1997, as amended. The site has direct road frontage and three number existing entrances from the Ballymoneen Road. The site also immediately adjoins existing residential schemes to the east and south. It is reasonable to consider that the site can access existing roads and water infrastructure from either Ballymoneen Road, the Slí Ghael residential development or the Maoilín residential development. Uisce Éireann indicate that there is capacity available in the water systems to serve the site. The site, therefore, meets the criteria under section 653B(b) of the 1997 Act, as amended. The subject site gained planning permission for residential development under planning register reference 06/481, and accommodated houses, apartments, internal roads and public open spaces under this permission. The current application on the site, planning register reference 2460270, similarly accommodates residential dwellings and ancillary works at the site. On this basis, it is considered that the site is not too narrow or undulating to provide dwellings and, therefore, the site meets the criteria under section 653B(c) of the 1997 Act, as amended. The subject site does not overlap with any part of the N6 Galway City Ring Road therefore, the site does not meet the criteria for exclusion under section 653B(iii)(II) of the 1997 Act, as amended. The lands meet the qualifying criteria set out in section 653B of the Taxes Consolidation Act 1997, as amended, and that there are no matters arising that warrant exclusion from the map.



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**Tom Rabbette**

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

Dated this  day of  2024