



An  
Bord  
Pleanála

## Inspector's Report

### ABP-312382-22

<b>Development</b>	Erection of 13 houses together with all ancillary site works and services to facilitate the housing development.
<b>Location</b>	Glentaun, Co Galway
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	211907
<b>Applicant(s)</b>	Niamh & Shane Dolan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Niamh & Shane Dolan
<b>Observer</b>	Noel Lohan
<b>Date of Site Inspection</b>	6 <sup>th</sup> September 2022
<b>Inspector</b>	Ian Campbell

## **1.0 Site Location and Description**

- 1.1. The appeal site is located in the townland of Glentaun, on the Galway Roscommon border, c. 2 km east of the centre of Ballinasloe, Co. Galway. The appeal site has a stated area of 0.4752 ha and is located on the western side of the L-86084, c. 250 metres north of the junction with the R446.
- 1.2. The appeal site is broadly rectangular in shape, relatively flat and comprises a field under grass. There is a gated entrance and a stone wall along the roadside boundary. Site boundaries comprise nature trees and hedgerow. A gated lane runs along the southern boundary of the appeal site, this laneway is outside the confines of the appeal site. There is no footpath along the front of the appeal site. The footpath network in the vicinity of the appeal site only extends from the junction with the R446 to Glentaun Village, c. 110 metres south of the appeal site.
- 1.3. There are detached dwellings located to the north and south of the appeal site, and along the opposite side of the road. The Glentaun Village housing development is located to the south-west of the appeal site.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises;
  - 13 no. 3 bedroom terraced units (2 storey), across 3 no. blocks. Material finishes to the proposed houses comprise nap render for the external walls and slate (unspecified colour) for the roofs. Zinc/cedar cladding is indicated on the gable elevations of the houses. The proposed houses have pitched roofs with ridge heights of c. 8.8 metres.
  - Provision of vehicular access onto the L-86084.
  - Construction of internal access road.
  - Connection to public mains and foul drainage networks.
  - Provision of public open space.
  - Footpaths, public lighting, landscaping, and ancillary services.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The Planning Authority issued a Notification of Decision to Refuse Permission on the 6<sup>th</sup> December 2021 for 4 no. reasons which can be summarised as follows;

1. The design and layout of the proposed development does not adequately reflect or reinforce the existing urban form of the nearby town centre of Ballinasloe and therefore does not make sufficient contribution to sense of place by logically perpetuating existing urban street patterns or creating the required standard of public urban spaces, thereby assimilating its urban setting. The layout, in conjunction with concerns in relation to internal road layout, sufficiency of suitably designed, located, defined and overlooked public spaces to provide a satisfactory urban environment, would be contrary to the provisions of Objectives UHO 7 and UHO 8 of the current Galway County Development Plan 2015-2021, the provisions of Sections 2 and 3 of the Design Manual For Urban Roads and Streets (2019 updated) and the provisions of Sections 2, 6 and 7 of Urban Design Manual - A Best Practice Guide DEHLG (2009).
2. The proposed development does not provide sufficient pedestrian connectivity to the wider urban pedestrian network and, if granted, would pose a risk to the safety of pedestrians and other road users, and in addition, lead to unsustainable mobility patterns due to the impact the discontinuities in the pedestrian and cycle network will have on individual mobility choice. The proposed development would accordingly be prejudicial to public safety and contravene sustainable transport policy objectives TI5 and TI11 of the current Galway County Development Plan.
3. The Planning Authority is not satisfied based on submissions received that the applicant has satisfactorily demonstrated that the proposed site entrance has sufficient sightlines. The Planning Authority is not satisfied that the proposed development would not be contrary to DM Standard 20 of the County Development Plan 2015-2021.
4. The Planning Authority is not satisfied that adequate proposals for the discharge of the applicants' obligations under Section 96 of the Planning and

Development Act 2000 (as amended) and the Urban Regeneration and Housing Act (2015) have been submitted.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The report of the Planning Officer includes the following comments;

- The principle of a multiple housing unit development is acceptable, having regard to the zoning of the Ballinsloe LAP 2015-2021 i.e. Phase 1 Residential.
- A single unit towards meeting Part V requirements is not considered satisfactory.
- The proposal does not provide sufficient pedestrian connectivity to the wider pedestrian network, would pose a risk to the safety of pedestrians and other road users, and would contravene sustainable transport objectives. The site is devoid of pedestrian connectivity to Ballinasloe town.
- Sufficient sightlines have not been demonstrated.
- Units 1-4 are isolated from the public open space.
- The public open space is dominated by the internal access road, which surrounds the open space. This configuration is substandard in terms of creating a sense of place.
- There is an insufficient mix of house types within the proposal and the reliance on terraced housing is not conducive towards augmenting the established character of the area.
- Consideration has not been given as to how the proposal integrates with the development to the west.

The report of the Planning Officer recommends a refusal of permission consistent with the Notification of Decision which issued.

#### **3.2.2. Other Technical Reports**

Reference is made in the report of the Planning Officer to a report from the Roads and Transportation Department and contents of same. I note however that under the heading of 'consultees' the Planning Officer's report notes that no report was received from the Roads and Transportation Department. I note that there is no report from the Roads and Transportation Department on the appeal file.

### **3.3. Prescribed Bodies**

None received.

### **3.4. Third Party Observations**

2 no. observations were received by the Planning Authority. The following is a summary of the main issues raised in the third-party observations:

- Adequacy of drawings and absence of a design statement.
- Overlooking of property to north and south.
- Proposal is out of character with the adjoining area in terms of design and density. The proposal lacks variety in terms of design.
- The design and layout of the proposal could result in antisocial behaviour.
- Concerns in relation to the impact of the proposal on the site boundary, which provides privacy to neighbouring property, and also the loss of trees from the site.
- There is an absence of a footpath and no public lighting at this location. The carriage width of the road is too narrow to facilitate the proposal. Traffic safety concerns in relation to the additional traffic generated by the proposal, in particular noting the additional traffic generated by Glentaun Village. The junction with the R446 is inadequate.
- Inadequacy of sightlines.
- Devaluation of property in the vicinity arising from the proposed development.
- Concerns in relation to potential flood risk.

- Inadequacy in the foul, surface, and water supply network to cater for the proposal.
- Concern in relation to capacity in the local school to cater for the proposal.

## 4.0 Planning History

Appeal Site:

None.

## 5.0 Policy Context

### 5.1. Ministerial Guidelines

5.1.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (2009).
- Urban Design Manual - A Best Practice Guide (2009).
- Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities (2007).
- Design Manual for Urban Roads and Streets (2019).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities, (2010).

### 5.2 Development Plan

5.2.1. The proposed development was considered by the Planning Authority under the Galway County Development Plan 2015-2021 however the Galway County

Development Plan 2022-2028 came into effect on the 20<sup>th</sup> June 2022 and is now the relevant development plan.

5.2.2 The appeal site is not subject to any specific land use zoning in the Galway County Development Plan 2022-2028. Where settlements have a Local Area Plan (LAP), specific land-use zonings are provided in the applicable LAP. The appeal site was previously within the boundary of the Ballinasloe LAP 2015-2021 and was zoned 'Residential – Phase 1'. The Ballinasloe LAP 2022 – 2028 came into effect on the 6<sup>th</sup> July 2022 however the appeal site is not located within the boundary of the new Ballinasloe LAP.

5.2.3. The provisions of the Galway County Development Plan 2022 - 2028 relevant to this assessment are as follows:

- Objective CS 1: Implementation (Core Strategy)
- Paragraph 2.4.11: Rural (Core Strategy)
- DM Standard 28: Sight Distances Required for Access onto National, Regional, Local and Private Roads

5.2.4 The appeal site is located within an 'Urban Environs Landscape' (see Map 1) for the purpose of landscape type. Urban Areas are described as having a low sensitivity to change.

5.2.5. The appeal site is located within a rural area typology, specifically a 'Structurally Weak Area'.

### 5.3 Natural Heritage Designations

- River Suck Callows SPA (Site Code 004097) – c. 1.2 km west.
- Suck River Callows NHA (Site Code 000222) – c. 1.2 km east.
- Ballinasloe Esker pNHA (Site Code 001779) – c. 2.9 km east.

## 5.4. EIA Screening

5.4.1. Class 10 (b) Schedule 5 (Part 2) of the Planning and Development Regulations 2001, as amended, provides that mandatory EIA is required for the following classes of development:

- (i) Construction of more than 500 dwelling units.
- (iv) Urban development which would involve an area greater than 2ha in the case of a business district, 10ha in the case of other parts of a built-up area<sup>1</sup> and 20ha elsewhere.

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

5.4.2. The proposal comprises 13 no. residential units on a site of 0.4752 ha. The appeal site is located on un-zoned lands outside the settlement boundary of Ballinasloe and as such the appeal site does not form a ‘business district’, or ‘other parts of a built-up area’. I am satisfied that the number of proposed dwelling units is substantially below the 500 dwelling unit threshold and that the site area is substantially below the 20ha threshold. It is therefore considered that the development does not fall within the above classes of development and does not require mandatory EIA.

5.4.3. Having regard to:

- (a) the nature and scale of the development,
- (b) the location of the development outside of any sensitive site, and,
- (c) given that the development will not result in the production of any significant waste or result in emissions or pollutants,

it is concluded that 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.

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<sup>1</sup> ‘Built-up Area’ means a city or town (where ‘city’ and ‘town’ have the meaning assigned to them by the Local Government Act 2001) or an adjoining developed area (defined in Article 3, Planning and Development Regulations 2001 as amended). An adjoining developed area can be taken to mean contiguous suburbs.



## **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 Planning Authority erred in considering that the proposal did not reflect the existing urban form of Ballinasloe and took Objective UHO7 and UH08 out of context. Objective UHO 7 and UHO 8 refer to town centres. The character of the area has not been considered by the Planning Authority.
- There is an absence of clarity in relation to how technical assessments in respect of DMURS and other technical guidance was considered. No technical assessment has been carried out on the proposed entrance.
- The Planning Authority did not fully consider the traffic requirements of the Galway County Development Plan and incorrectly referred to Objective TI5 and TI11 as a basis of the refusal.
- The proposal made to the Housing Section of the County Council was considered satisfactory.
- The Galway County Development Plan 2015-2021 and the Ballinasloe LAP 2015-2021 have passed their original appropriate periods and are inconsistent with current evidence based planning. Greater emphasis should be placed on the NPF and the RSES, in particular in relation to infill development, density and compact growth.
- The site is zoned 'Phase 1 Residential' in the Ballinasloe LAP and the proposal accords with Objective UHO11.
- The appeal site is surrounded by residential development and the proposal can connect into existing electricity, transport, water and sewerage networks.
- Adequate public open space is provided (i.e. 17% of the overall site).
- The proposal is laid out in accordance with DMURS and Recommendations for Site Development Works for Housing Areas. Car parking and public lighting is to BS:5489.

- The retention of trees and hedgerows respects the privacy of existing dwellings. The first party is amenable to erecting screens to protect trees and their roots.
- The road corridor of the L-86084 was set out to provide an adequate paved carriageway with footpaths on each side. In permitting development along the road the Planning Authority required boundaries to be set back to allow for a wider paved surface and new footpaths. The first party is proposing to construct a footpath with lighting along the width of the appeal site and this may stimulate other footpaths to be constructed to the south of the site. The first party cannot deliver footpaths beyond the appeal site without the consent of the Roads Authority, but would do so if requested to.
- Footpaths within the development have a width of 1.8 metres, and 2 metres in width along the front of the appeal site. The provision of a 2 metre wide footpath and public lighting will enhance public safety.
- Minor amendments to facilitate car parking movements have been made.
- The design of the front entrance has been revised. The consent of an adjoining landowner allows for the common boundary to the south to be removed, improving sightlines.
- The L-86084 is not geometrically designed and therefore DM Standard 20 does not apply, this objective applies to National Primary and Secondary Roads. Stopping distances are in accordance with TII and NRA Design Manual for Roads and Bridges, Table 11/3, which also allows for relaxations in standards. The road alignment is good and there are no traffic warning signs alerting users to issues with this junction. NRA policy provides for sightline standards ranging from 40 metres to 70 metres for roads with a 50kmph limit.
- The first party are amenable to amending the design of the proposed dwellings to provide greater variety, including the provision of 2 bedroom units. The provision of terraces is more economic, and affords advantages in terms of security, privacy and running costs.
- The Council have ambitious plans for Ballinasloe in terms of population increase and there is demand for new residential property in the town (letter from local estate agent attached to appeal attesting to this).

- The proposal compliments the housing type/mix in the area.
- The appeal site is proximate to services and is to a large extent self-contained and not reliant on Ballinasloe.

## 6.2. Planning Authority Response

None received.

## 6.3. Observations

1 no. observation was submitted in relation to the appeal. The issues raised in the observation are summarised as follows;

- Concerns raised in relation to flood risk on the appeal site and to adjoining property. Significant flooding of the appeal site occurred in 1995, 2009, 2015 and 2016. The overgrown nature of the appeal site obscured flooding on the appeal site.
- The proposed development is out of character with the area.
- Concerns raised in relation to the loss of trees.
- The sightline drawing is inaccurate.
- Concerns in relation to the impact of the proposed development on the residential amenity of the property to the north arising from noise and light pollution. The gable windows of House 4 and 5 overlook the property to the north.
- Security concerns arising from the proposed boundary treatment to the front of the appeal site.
- The local school is at capacity.

## 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:

- Principle of development (New Issue)
- Refusal Reason 1
- Refusal Reason 2
- Refusal Reason 3
- Refusal Reason 4
- Impact on visual and residential amenity
- Flooding
- Appropriate Assessment

## **7.2. Principle of development (New Issue)**

- 7.2.1. The proposed development was considered by Galway County Council under the Ballinasloe LAP 2015 – 2021, under which the appeal site was zoned Residential (Phase 1). The Ballinasloe LAP 2022 – 2028 came into effect on the 6<sup>th</sup> July 2022 however the appeal site is not located within the boundary of the new Ballinasloe LAP, and as such is not subject to a specific land use zoning. Objective CS1 of the Core Strategy of the Galway County Development Plan 2022 – 2028 provides that growth is directed towards designated settlements. The appeal site is located outside the Ballinasloe LAP 2022 – 2028 boundary, and as such I consider that the appeal site is located outside the settlement boundary of Ballinasloe. Having regard to the Core Strategy of the Galway County Development Plan 2022 - 2028, and specifically to Objective CS1, I do not consider the principle of the proposal, comprising a multi-unit development, to be acceptable on un-zoned lands, located outside the boundary of a settlement, and in this regard I consider that the proposed development would conflict with Objective CS1 of the Galway County Development Plan 2022 – 2028. This is a new issue and the Board may wish to seek the views of the parties. However, having regard to the other substantive reason for refusal set out below, it may not be considered necessary to pursue the matter.

7.2.2. The appeal site is identified in the Galway County Development Plan 2022 – 2028 as being located within a ‘Structurally Weak Area’ of the County and as such is within an area with a rural typology. In the context of the Core Strategy, paragraph 2.4.11 provides that overspill development from urban areas should be avoided within the countryside. Having regard to the provisions of the Core Strategy, I consider that a multi-unit housing development would conflict with this requirement.

### **7.3. Refusal Reason 1**

7.3.1. The first reason for refusal relates to the design and layout of the proposed development. The Planning Authority contend that the proposal does not reflect the existing urban form within Ballinasloe, and furthermore does not make a sufficient contribution towards a sense of place. Specific reference is made to street patterns, the standard of public urban space and also to internal road layout of the proposal.

7.3.2. The appeal site is long and relatively narrow which I consider has a limiting effect in terms of design options and layout. Having regard to the number of units proposed, and to the constrained nature of the appeal site, I consider the layout of the proposal to be generally acceptable.

7.3.3. The Planning Authority raise concerns in relation to the location of public open space and the absence of surveillance of same. I note that the area of public open space is directly overlooked by 9 no. of the 13 no. units within the scheme and I note that there are no unsurveilled areas within the scheme.

7.3.4. Regarding the contention of the Planning Authority that the proposal does not reflect the existing urban form within Ballinasloe, I note that the report of the Planning Officer does not provide any elaboration in relation this. I note that the appeal site is located c. 2 km from the centre of Ballinasloe and does not immediately adjoin the Glentaun Village development, therefore I do not agree that the proposed development is significantly inconsistent with the existing urban form. Given the separation distance from the town centre and other developments, I do not consider that the proposal would constitute a haphazard and uncoordinated form of development.

7.3.5. In relation to variety within the scheme, I agree with the Planning Authority in relation to the predominance of the terraced housing typology. In the event that the Board are minded to grant permission for the proposed development a condition providing for the inclusion of semi-detached units within the scheme could be attached. In this regard I consider that the block fronting the L-86084 could incorporate a pair of semi-detached units. The scheme includes units which are orientated towards the internal access road and I consider that this provides for a satisfactory interface with the street and provides a degree of visual interest at the entrance. Having regard to the forgoing, I do not consider that the layout of the proposed development would warrant refusal on the basis of its layout.

#### **7.4. Refusal Reason 2**

7.4.1. The second refusal reason relates to pedestrian connectivity to the wider urban pedestrian network, and the creation of unsustainable travel patterns as a consequence.

7.4.2. The public footpath on the L-86084 extends from the junction with the R446 to the Glentaun Village development, terminating c. 110 metres south of the appeal site. Whilst the provision of a footpath is indicated for the width of the appeal site, the absence of a footpath along the L-86084 between Glentaun Village and the appeal site would result in pedestrians having to share an unsegregated carriageway with vehicles, resulting in potential pedestrian-vehicular conflicts. The absence of a footpath network would also result in people having to traverse grassed verges to the front of individual properties, posing particular issues for people using prams, wheelchairs, and for people with mobility issues. Additionally, I note that there is no public lighting along this stretch of the L-86084, further increasing the hazards posed to pedestrian and cyclists using the road.

7.4.3. I note that the area south of the appeal site where footpath provision is required is not within the applicant's control/ownership, and from reviewing land registry details I note that the area on either side of the L-86084 is included within the individual folios of the properties along the L-86084 and as such would appear to be private property.

- 7.4.4. Given the absence of a footpath network and lighting between the appeal site and Glentaun Village, I consider that the proposed development would endanger public safety by reason of traffic hazard. I also consider that the proposal would be predominantly car based, given the unattractiveness of the local road network for pedestrians and cyclists, and as such the proposed development would be contrary to the proper planning and sustainable development of the area.

## **7.5. Refusal Reason 3**

- 7.5.1. The third reason for refusal concerns the adequacy of sightlines at the entrance to the proposed development. The speed limit of the L-86084 at this location is 50kmph and the appeal site is outside the development boundary of Ballinasloe. As such I consider the corresponding sightline requirement to be 70 metres, in accordance with DM Standard 28 of the Galway County Development Plan 2022 – 2018.
- 7.5.2. The first party contends that the L-86084 is not a geometrically designed road and as such design speeds do not apply, and that a relaxation in sightline standards should apply in this instance, noting the nature of the road. Two revised site layout plans have been submitted with the appeal. The first (Map 3) indicates a sightline to the north of 94 metres and a sightline of 65 metres to the south, while the second (Map 3A) indicates a sightline to the north of 105 metres and a sightline of 100 metres to the south, both taken from a setback of 2.4 metres from the edge of the road. Having reviewed the information submitted with the appeal it is unclear why the sightlines indicated on the two drawings differ. A letter of consent has also been furnished with the appeal in relation to the carrying out of works to the roadside boundary to the south of the appeal site which will facilitate sightlines.
- 7.5.3. In considering the provision of sightlines from the proposed entrance, I have based my assessment on the revised site layout drawing Map 3, given the absence of a rationale for the more extensive sightlines indicated on Map 3A. Based on this drawing the achievable sightline to the south is below the required 70 metres, however having regard to the marginal nature of this shortfall, and to the nature of the L-86084 at this location, including the number of individual entrances onto the road which serves to

slow traffic, I consider sightlines to be acceptable and I do not consider that the proposed development would warrant refusal on the basis of sightlines.

#### **7.6. Refusal Reason 4**

- 7.6.1. The fourth reason for refusal concerns the discharge of the applicants' obligations under Section 96 of the Planning and Development Act 2000, as amended. The Planning Authority are not satisfied that adequate proposals have been submitted in this regard. The first party has submitted correspondence from the Housing Department of Galway County Council with the appeal submission which refers to the acceptability of the proposal in relation to the applicants' obligations under Section 96 of the Planning and Development Act 2000. In the event of a grant of permission, a planning condition providing for the developer to comply with the above provisions would be attached and as such I do not consider that this issue would warrant a refusal of permission.

#### **7.7. Impact on Visual and Residential amenity**

- 7.7.1. In relation to visual amenity, the appeal site is located within an 'Urban Environs Landscape' for the purpose of landscape type and has a low sensitivity to change. Having regard to scale, massing and design of the proposed development, I do not consider that the proposed development would result in any significant negative impacts on the receiving landscape or on the visual amenities of the area.
- 7.7.2. Regarding impacts on residential amenity, the front elevation of Unit no. 4 and 5 are orientated towards the north with first floor windows serving bedrooms facing towards the adjacent property. Noting the separation distance between Unit no. 4 and 5 and the northern site boundary, at c. 10 metres, and the screening provided by the hedge and trees which form the northern site boundary, I do not consider that the proposed development would result in any significant negative impacts on the residential amenity of adjoining property to the north arising from overlooking. The windows at first floor level on the side/gable elevations of unit no. 1, 8 and 9 are indicated as comprising obscure glazing and as such I do not consider that the proposal would



result in any significant negative impacts on the residential amenity of adjoining property to the south arising from overlooking. In summation, having regard to the scale, design and relationship of the proposed dwellings to adjoining site boundaries, I do not consider that the proposed development would result in any significant negative impacts on the residential amenity of adjoining properties.

- 7.7.3. The observation submitted in respect of the appeal raises concerns in relation to the potential impact on the residential amenity of adjacent property arising from light and noise. Having regard to the nature and scale of the proposed development, I do not consider that the proposed development would result in any significant negative impacts on neighbouring property. Should the Board be minded to grant permission for the proposed development I recommend that a construction management plan be submitted, to include measures to control noise and light emissions from the appeal site during the construction phase of the proposal.

## **7.8. Flooding**

- 7.8.1. The planning application was accompanied by a Flood Risk Assessment which notes the following;
- Pluvial flooding is considered to be the most relevant flood risk for the appeal site.
  - There are flow paths into the appeal site and outflow paths from the appeal site. Water management measures are therefore required, including the provision of weep holes in the boundary wall of the green area to equalise water pressure, the provision of a soakaway in the green area, and the use of soakaways to attenuated runoff from the roofs of houses.
  - Flow paths are not obstructed by the proposed development and no negative effects on property are anticipated.
  - The finished floor levels of the proposed houses are 49.30 metres OD Malin, whereas the pluvial flood risk level is 48.70 metres OD Malin, providing a free board of 0.6 metres. Given the freeboard above 0.5 metres, the appeal site is

considered to be located within Flood Zone C. The justification test is not required.

- 7.8.2. Having reviewed the FRA submitted, noting the location of the proposed dwellings within Flood Zone C, the finished floor level of the proposed dwellings with reference to the estimated pluvial flood risk level and to the freeboard provided against pluvial flooding, I consider that the proposed development is acceptable in terms of flood risk and that it accords with the Planning System and Flood Risk Management Guidelines 2009.

## **7.9. Appropriate Assessment**

- 7.9.1. 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. I recommend that planning permission for the proposed development should be refused for the reasons and considerations set out below.

## **9.0 Reasons and Considerations**

1. The proposed development is situated outside the boundary of the Ballinasloe Local Area Plan 2022 – 2028, on lands which are un-zoned, and which are designated within a rural typology in the Galway County Development Plan 2022 – 2028. Having regard to the peripheral location of the site, outside the development limits of Ballinasloe, it is considered that the proposed development would conflict with the Core Strategy of the Galway County Development Plan 2022 – 2028, specifically Objective CS1, which provides that growth be directed towards designated settlements, and that the proposed development would be contrary to the provisions of paragraph 2.4.11 of the Core Strategy of the Galway County Development Plan 2022 – 2028, which

provides that overspill development from urban areas should be avoided within the countryside. Accordingly, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the existing local road (L-86084) serving the site, which in the vicinity of the appeal site lacks footpaths and public lighting, it is considered that the existing road network is substandard and is not suitable to serve the proposed housing development, therefore the proposed development would endanger public safety by reason of traffic hazard.

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Ian Campbell  
Planning Inspector

4<sup>th</sup> October 2022