



An
Bord
Pleanála

Inspector's Report ABP-316416-23

Type of Appeal	Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax
Location	Keeraun, Ragoon, Co. Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	GLWX-C6-RZLT-9
Appellant(s)	Colm and Mary McDonagh
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site refers to an irregular shaped area of land located to the east of the Ballymoneen Road and to the south of the Ragoon Road, in Keeraun which is located to the west of Galway City. The site is undeveloped and is under grass. The land is of a poor quality, is crossed by powerlines and very little of the site is flat.
- 1.2. The adjoining lands to the west are in residential use and the remaining lands are in similar agricultural use.

2.0 Zoning and Other Provisions

- 2.1. The subject site is located within the Galway City Boundary and the lands are zoned R – Residential in the Galway City Development Plan 2023 – 2029.
- 2.2. There is a TA Objective for Traveller Accommodation on lands including the subject site.

3.0 Planning History

- 3.1. There are no recent relevant valid applications on these lands.
- 3.2. **ABP Ref. 311294-21** refers to a decision to refuse permission for a social housing development of 71 units including Traveller Appropriate Accommodation on the lands to the south of the subject site on Ballymoneen Road. The reasons for refusal included in summary:
 1. The site would give rise to piecemeal development without suitable infrastructure, with particular reference to the lack of appropriate and safe pedestrian linkages, and poor links to public transport. The development would be overly reliant on car usage.
 2. The road network is of a poor quality with no pedestrian and cycle facilities. The development is premature pending the completion of the N6 Galway City Ring Road Scheme and associated improvements including to the Ballymoneen Road.

4.0 Submission to the Local Authority

- 4.1. The appellant made a submission to the Local Authority requesting removal from the map as the lands are not serviced by public water and foul drainage.

5.0 Determination by the Local Authority

- 5.1. Galway City Council contacted Uisce Éireann regarding the availability of services on this section of the Headford Road. Water supply is available within 3 m away on the Ragoon Road and foul drainage is available approximately 60 m to the south along the Ballymoneen Road.
- 5.2. Galway City Council considered this information to be acceptable in terms of development of this site. Access to the site was possible via a connection to the south on lands that are owned by Galway City Council.
- 5.3. The subject lands are considered to be adequately serviced in terms of roads, footpaths, drainage, and water supply.

6.0 The Appeal

6.1. Grounds of Appeal

The following points were made in support of the appeal:

- The lands are not serviced by a suitable footpath connection. There are no footpaths within 0.6 km of the site on the Ballymoneen Road and none within 0.5 km on the Ragoon Road. There is no public lighting in the area.
- The Planning Authority have not consulted Uisce Éireann in relation to the provision of foul drainage to serve this site.
- There are no services nearby to enable the development of these lands.

6.2. Planning Authority Response

- No further comment.

7.0 Assessment

- 7.1. The comments raised in the appeal are noted. The zoning allows for residential development and there are no known restrictions on the availability of the provision of water and foul drainage services to this site. The Planning Authority have made clear that there are no restrictions on the development of these lands and reference that access through Galway City Council lands, to the south of the site, may be possible. I note the report of Uisce Éireann and I am satisfied that public water supply and foul drainage can be provided to service this site.
- 7.2. I note the decision of the Board in relation to the development proposed for the lands to the south of the site under ABP Ref. 311294-23, with particular reference to the reasons for refusal.
- 7.3. The subject site is located in a transitional area, with significant residential development having occurred to the south, but the subject site and adjoining lands are rural in character with no footpath nearby and a poor quality of road network. The area is somewhat reliant on the development of the N6 Galway City By-Pass and/ or other road improvements in the area.
- 7.4. Normally, the ownership of lands by the Local Authority, which adjoin the subject site, would give some support for the development of these lands. However, considering the shortfall in infrastructure and the decision under ABP Ref. 311294-23, there is no certainty that footpath connections can be provided, and that the road network can be improved to the required standard.

8.0 Recommendation

- 8.1. I recommend that the board reject the determination of the Local Authority and that the indicated site be removed from the map.

9.0 Reasons and Considerations

- 9.1. The appellant requested that their site be removed from the map due to the fact that these cannot be serviced by foul drainage and that there are no footpath connections available in the immediate area.
- 9.2. The site is zoned for residential use and is located within an area with available foul drainage and water supply services and no capacity or other reasons have has been

provided as to why the lands cannot be developed. However, there are no footpaths in the immediate area and there are no proposals for the provision of these in the medium term. The refusal of permission for a residential development under ABP Ref. 311294-23 demonstrates that the area is lacking in pedestrian infrastructure. In addition the local road network is not of a suitable standard for the development of these lands.

I confirm that the report represents my professional planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

Paul O'Brien
Planning Inspector

3rd August 2023