



An
Bord
Pleanála

Inspector's Report ABP-316681-23

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	Headford Road, and Tuam Road, Castlegar, Co. Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	GLWX-C6-RZLT-1
Appellant(s)	Eddie & Geraldine Kelly
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 west of the N84/ Headford Road, to the north of Galway City. The site is undeveloped and appears to be in use for open air storage of plant equipment. The site forms part of a larger landholding.
- 1.2. The adjoining lands to the north/ south and west are in agricultural use and are generally under grass. The lands to the east are in use as mixture of housing and similar to the subject site for equipment storage/ sales. There is a history of quarrying/ rock removal in the immediate area.

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.

3.0 Planning History

- 3.1. There are no recent relevant valid applications on these lands.

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 in agricultural use, there is no access to the Headford Road and there are no services in the area to facilitate the development of these lands for residential uses.

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 and foul drainage collection network is approximately 400 m to the south of the site. Galway City Council considered this information to be acceptable in terms of development of this site and access to the site was also located by means of an existing entrance to the

southern corner of the site onto the Headford Road. Footpaths and roads are available to serve this site.

5.2. 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 in use as part of the family farm, and it is intended that the lands will remain as such.
- 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 services to this site. The Planning Authority have made clear that there are no restrictions on the development of these lands.

7.2. The use of land for agricultural purposes does not allow for exemption on inclusion on the RZLT maps.

8.0 **Recommendation**

8.1. I recommend that the board confirm the determination of the Local Authority and that the indicated site be retained on 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 lands are in agricultural use and that there are insufficient services available to enable the development of these lands for residential uses.
- 9.2. The site is zoned for residential use and is located within an area with available services and no capacity or other reasons have been provided as to why the lands cannot be developed. The lands were zoned for residential development at the time of determination by the Planning Authority, dated March 2023.

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