



An
Bord
Pleanála

Inspector's Report ABP-316817-23

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	Ballymoneen Road, Galway City
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	GLWX-C6-RZLT-3
Appellant(s)	Cairn Homes Galway Ltd
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 Ballymoneen Road, west of the Fána Buí housing development and west of Slí Gheal, to the west of Galway City centre and to the north of Knocknacarra. The lands are undeveloped and are under grass. There is detached house on the northern section of these lands.
- 1.2. The lands to the west and north of the subject site are primarily under grass/ limited agricultural use. The lands to the south and east are in residential use in the form of relatively recently developed housing estates.

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. The indicative route of the N6 Galway City Ring Road crosses through the site, towards the north, effectively dividing the subject lands into two separate areas.

3.0 Planning History

- 3.1. There are no recent, relevant, valid applications on this site.

4.0 Submission to the Local Authority

- 4.1. The appellant made a submission to the Local Authority requesting removal from the map. The appellant wishes to develop these lands; however, concerns have been raised about the impact of the proposed N6 Galway City Ring Road on the development potential of these lands. The site is restricted by its narrow nature and the proposed road would impact on its layout.
- 4.2. Query over the date of inclusion of the lands on the relevant RZLT maps.

5.0 Determination by the Local Authority

- 5.1. It is reported that the maps submitted by the appellant differ and refer to the Galway City Development Plan 2017 – 2023.
- 5.2. It is accepted that the N6 Galway City Ring Road may impact on the development of these lands and the area to the north/ north west of this road should be excluded from inclusion on the RZLT maps.
- 5.3. It is considered that that remaining lands should remain on the maps as there are no restrictions on the ability to develop these lands. The subject lands are considered to be adequately serviced in terms of roads, footpaths, drainage, and water supply.
- 5.4. Corrected maps will be published in December 2023.

6.0 The Appeal

6.1. Grounds of Appeal

The following points were made in support of the appeal:

- The appeal only related to the lands scoped in by the Planning Authority.
- There are on-going difficulties with the development potential of this site including the narrowness of the site affecting the layout.
- There is a need for certainty over the provision of services to enable the development of the site.
- Concern about the effective date for the application of the RZLT.
- Supporting documentation is provided with this appeal.

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. I note the specific comments regarding the N6 Galway City Ring Road Scheme, and the impact of this, which results in a narrow site. The narrow site restricts the appellants ability to provide for a suitable layout for residential development here.
- 7.3. I agree with the Planning Authority, that a suitable layout for residential development can be provided here. I note the existing layout of the adjoining residential developments and similar layouts could be adopted for the subject site.

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 the development of these lands is premature pending the determination of the route for the N6 Galway City Ring Road Scheme and the fact that this road would impede the layout potential of these lands.
- 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 site area is such that a suitable layout can be provided for the appropriate development of these lands.
- 9.3. 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 profession 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

8th August 2023