



An  
Bord  
Pleanála

## Inspector's Report ABP-316853-23

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<b>Type of Appeal</b>	Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax
<b>Location</b>	Letteragh Road, Galway City
<b>Planning Authority</b>	Galway City Council
<b>Planning Authority Reg. Ref.</b>	GLWX-C6-RZLT-2
<b>Appellant(s)</b>	Cairn Homes Galway Ltd
<b>Inspector</b>	Paul O'Brien

## **1.0 Site Location and Description**

- 1.1. The subject site refers to an area of land located to the south of the Letteragh Road (L1323) in the townlands of Rahoon and Letteragh, to the north west of Galway city. The subject lands consist of a number of fields that are under grass, and which slope downwards from the public road, a fall on a north to south axis. A mix of fences and stone walls form the site boundary and internal boundaries within these lands.
- 1.2. A small residential in the form of a cul-de-sac layout, named as Breacan, is located to the east of the subject site and this is a recent addition to the area. Significant residential development has taken place to the south and east, but lands to the north and west are under grass with an 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. The indicative route of the N6 Galway City Ring Road is on the adjoining lands to the west of the subject site.

## **3.0 Planning History**

- 3.1. ABP Ref. ABP-313287-22 refers to a Strategic Housing Development for 151 units. This application was withdrawn in February 2023.
- 3.2. The Planning Authority have reported that pre-planning consultation and subsequent LRD opinion issued in relation to the development of 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. The appellant wishes to develop these lands, however issues over services/ infrastructure have prevented the development of these lands. Particular concern regarding the development of road infrastructure in the area and also due to the potential impact on the proposed N6 Galway City Ring Road Scheme.

## **5.0 Determination by the Local Authority**

- 5.1. Galway City Council have reported that lands affected by the N6 Galway City Ring Road Scheme were scoped out at an early stage of this process. Access is possible along the Letteragh Road, and planning permissions have been granted along here for residential developments. The issues raised in the SHD process are specific to that development and do not suggest that the site cannot be developed.
- 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:

- It is proposed that a Large Scale Residential (LRD) housing scheme will be submitted to Galway City Council on these lands.
- The development of this site is impacted by the location/ layout of the N6 Galway City Ring Road Scheme and development may be impacted until such time as the final route is agreed.
- Concern about the effective date for the application of the RZLT.

### **6.2. Planning Authority Response**

- No further comment other than to refer to the fact that the SHD application on site was withdrawn before a decision could be made.

## **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, however the indicative route of this does not impact on the ability of the landowner to develop this site in accordance with the zoning that applies.
- 7.3. As is typical of this part of Galway City, the local road network consists of narrow carriageways with no footpaths. The development of the adjoining Breacan housing development and the lodgement of applications for the development of sites in the area, demonstrates that the site can be accessed in terms of suitable road and footpath infrastructure.

## **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. The Planning Authority have reported that sites impacted by this road have been scoped out of the RZLT process and therefore this road will not impact on the development of this site in accordance with the residential zoning that applies here.
- 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.

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Paul O'Brien  
Planning Inspector

8<sup>th</sup> August 2023