



An
Bord
Pleanála

Inspector's Report

ABP-319954-24

Development	Retention of the existing location of a vehicular entrance.
Location	Balrobuck Beg, Corrandulla, Co. Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	24/60362
Applicant(s)	Padraic & Breda Reilly
Type of Application	Retention Permission
Planning Authority Decision	Grant Retention Permission
Type of Appeal	Third Party
Appellant(s)	Martin Burke.
Observer(s)	None
Date of Site Inspection	3 rd September 2024.
Inspector	Kathy Tuck

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 0.27ha, is located within the townland of Balrobuck Beg, Corrandulla, Co. Galway. The subject site is located c.17km to the north of Galway City Centre.
- 1.2. The surrounding area is rural in its context with a number of clusters of rural dwellings and farm structures located within the vicinity. The local Road (L-6173) from where the subject site is accessed varies in width. There is a sharp 90 degree bend in the road approximate 200m to the south-east of the subject entrance.
- 1.3. The subject site is flat in nature and served with a southern orientation. The site comprises of a bungalow dwelling, a large, detached garage which were both permitted under PA Reg Ref 99/4947. The boundary of the site is formed by a traditional stone wall.
- 1.4. There are a number of bungalow dwellings located adjacent to and also opposing the subject site. There is a number of large mature trees located to the west of the subject site which are indicated as being located outside of the ownership of the applicant.

2.0 Proposed Development

- 2.1. This is an application for retention permission for an existing vehicular access which serves a permitted bungalow dwelling. The vehicular entrance is a bell-mouth entrance which is set back c.6.8m from the road edge and has an external width of c.10.1m and internal width of c.3.9m

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted retention permission for retention subject to 4 no. conditions.

The 4 no. conditions attached were generally of a nature applied to a development of this type. However, it is worth noting the following:

Condition no. 3

- Existing sight distance visibility shall be maintained and kept free from boundary walling, vegetation or other obstructions that would reduce the existing visibility sight distances in both directions.

Reason: In interest of public and road safety.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Authority notes the site's planning history, the policy context, reports received, and third-party submission made in respect of the planning application. The principle of the proposed development was considered acceptable given the residential zoning of the site.

The report concluded that the proposed development would not seriously injure the amenities of the area or properties in the vicinity and would be in accordance with the proper planning and sustainable development of the area and recommended that permission be granted.

3.2.2. Other Technical Reports

Road and Transportation Department (023rd May 2024) no objection to the development subject to condition.

3.3. Third Party Observations

One third-party submission was received by the Planning Authority in respect of the proposed development. The main issues raised are set out as follows:

- The vehicular entrance is not as permitted under PA Reg ref 99/4947 – the permitted entrance was located to the south-eastern side of the site.
- Sightlines in a western direction at a setback of 2.4m are not available without crossing over land not in applicants ownership.
- Cannot comply with DM Standard 28 of the County Development Plan without consent from adjoining landowner.
- Previous refusals on site indicate that sight lines could not be achieved in a westward direction.

- Note the planning history of refused permission by both the Local Authority and ABP for the use of this entrance – the situation has remained unchanged.

4.0 Planning History

The following pertains to the subject site:

- | | |
|-----------------|---|
| PA Ref 99/4947 | Permission GRANTED for a fully serviced dwelling and garage. |
| PA Ref 19/1374 | Permission GRANTED for an extension of 22.5sq.m. |
| PA Ref 23/60629 | Retention Permission REFUSED for 1) the location of existing vehicular entrance to the property; (2) the location of the existing domestic garage associated with the property; (3) the location of the existing septic tank & percolation area serving the property. The reasons for refusal were as follows: <ul style="list-style-type: none"> • The planning authority was not satisfied the Applicant has demonstrated the required legal interest to undertake works on the adjoining land which is required to obtain the required sightlines. As such the proposed would constitute a traffic hazard. • the existing septic tank system is not in accordance with SR61991 and if permitted as per the description of development would be prejudicial to public health. |

Site to the rear – utilising same access

- | | |
|--------------|---|
| PL 07.228317 | Permission REFUSED for construction of a serviced dwelling house, domestic garage, effluent treatment system and soil polishing filter (gross floor space 208sqm). The reasons for refusal were as follows: <ul style="list-style-type: none"> • Traffic Hazard – due to restricted sight lines. |
| PL 07.236518 | Permission REFUSED for construction of a serviced dwelling house, domestic garage, effluent treatment system and soil polishing filter (gross floor space 208sqm). The reason for refusal was as follows: |

- Traffic Hazard – due to restricted sight lines in a westerly direction

PA Ref 221090 Permission REFUSED for the construction of a new private dwelling house, proprietary effluent treatment unit, percolation area along with all ancillary site works. Gross floor space of proposed works: 175 sqm. The reason for refusal was as follows:

- The planning authority was not satisfied the Applicant has demonstrated the required legal interest to undertake works on the adjoining land which is required to obtain the required sightlines. As such the proposed would constitute a traffic hazard.

PA Ref 2360241 Permission sought for the construction of a new private dwelling house. Application was withdrawn.

5.0 Policy Context

5.1. Galway County Development Plan 2022-2028

The subject site is located within a rural location outside of any settlement identified within the current development plan with a landscape sensitivity of Class 1 – low.

Relevant objectives and sections:

Chapter 4 Rural Living and Development

- Objective RH 2 - Rural Housing Zone 2 - Rural Area Under Strong Urban Pressure

Chapter 15 Development management Standards

- DM Standard 28 - Sight Distances Required for Access onto National, Regional, Local and private roads.
- Table 15.3: Sight Distances required for Access onto National, Regional and Local Roads

5.2. Natural Heritage Designations

The site is not located within or directly adjacent to any Natura 2000 sites. The subject site is located c.1.922km to the east of the Lough Corrib SAC and the Lough Corrib SPA. Appendix 2 of my report referees.

5.3. EIA Screening

The scale of the proposed development does not exceed the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10), and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 of my report refers.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been received from Martin Burke, the adjoining landowner to the north-west. The appellant submits that retention permission should not have been granted for the following reason:

1. Sightlines

- 70m visible uninterrupted distance to the west of the vehicular entrance is unachievable.
- Permission would be required from adjoining landowner, and this will not be provided.
- There are number of trees and also a stone wall which obstructs the view from a 2.4m setback.
- Entrance would not comply with TII standards and Objective DMS28 of the Galway County Development Plan 2022-2028.
- Blind spot is evident in images submitted by the applicant.
- A cyclist or motorbike would not be visible from the entrance.

- Consider that Planning Authority misrepresented the facts in terms of the orientation of the site.

2. Planning History

- Permission was previously refused, 6 months prior to this application, under 23/60629 for the same development on foot of it being a traffic hazard.
- Nothing has changed since the last application was lodged – the road has not been re-aligned.
- An Bord Pleanála has refused permission for a number of applications pertaining to the subject entrance.

3. Other issues

- Planning Application from was not signed so the application should have been invalidated.

6.2. Applicant Response

None received.

6.3. Planning Authority Response

None received.

7.0 Assessment

The main issues arising in this case are:

- Access
- Planning History
- Other Matters

7.1. Access

- 7.1.1. I consider that the main issue of concern for this assessment is whether or not adequate site lines are available to the west of the existing entrance. The entrance

subject to this appeal provides vehicular access and egress to a bungalow dwelling from a local road - L-6173. The dwelling on site was permitted under PA Reg Ref 99/4947 with a vehicular entrance being located to the south-east of the one that was constructed.

- 7.1.2. The vehicle entrance must comply with the requirements of Objective DM Standard 28 which requires that sightlines for local roads where there is a 50km/hr speed limit shall be 70m in both direction when measured at a minimum distance of 2.4m from the edge of the carriageway.
- 7.1.3. The third-party appeal notes that there have been a number of refusals on site for the subject entrance within the most recent having being late last year (PA Ref 23/60629). In this regard I noted that each application is assessed on its own merit having regard to policies, standards and objectives at local and national levels.
- 7.1.4. Further reference is made by the appellant to the historic planning history pertaining to the subject lands. This relates to 2 no. appeals which were lodged in 2008 and 2010 details of which are set out within section 4.0 of my report above. I would note that these appeals were assessed under the previous development plan period and were subject to compliance with different policies and objectives.
- 7.1.5. The applicant has submitted as part of the planning application documentation a photomontage survey and also a site layout plan. The Planning Authority in their assessment consider that both documents submitted demonstrate that the required sightlines are achievable in both directions.
- 7.1.6. The Planning Authority in their assessment make reference to 3rd party land being located to the north-east when in fact, they are located to the west of the subject entrance.
- 7.1.7. Permission for the retention of this vehicular entrance refused under 23/60629 in 2023 for reasons relating to being a traffic hazard. The site layout plan submitted in the previous application is identical to that submitted as part of the current application subject to this appeal.
- 7.1.8. From undertaking a site visit I observed that while the required sightlines in an easterly direction can be achieved, I am not satisfied that the applicant has clearly demonstrated that unobstructed sightlines can be achieved in a westerly direction.

There are a number of mature trees and a stone wall located to the west which would obstruct upon the sightlines, to the west when exiting the subject entrance and the applicant has not demonstrated that they have legal control over this boundary to undertake the works required to obtain the required sightlines. Therefore having regard to the information on file the applicant has not clearly demonstrated that the entrance to be retained would not give rise to a traffic hazard and would not comply with the requirements of objective DM Standard 28 of the Galway County Development Plan 2022-2028.

7.2. Other Matters

- 7.2.1. The appellant states that the application should have been invalidated as the application form was not signed. In terms of procedural matters and the alleged irregularities in terms of the nature of how the Planning Authority processed the application I am satisfied that this did not prevent the concerned party or other parties from making representations or the Planning Officer undertaking a robust assessment of the application documentation. The above assessment represents my de novo consideration of all planning issues material to the proposed development.

8.0 Appropriate Assessment Screening

- 8.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site. The subject site is located c. 1.922km to the east of the Lough Corrib SAC and the Lough Corrib SPA.
- 8.2. The proposed development comprises of the retention of a vehicular access. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:
- The proposed works are limited in scale.
 - Due to the distance of the site and intervening land uses from any SAC and SPA, no impacts/ effects are predicted in this regard.

- There are no identifiable hydrological/ecological connector pathways between the application and the SAC or SPA.

8.3. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that retention planning permission be refused.

10.0 Reasons and Considerations

Having regard to the restricted sight lines availability in a westerly direction, where the Applicant has not demonstrated the required legal interest to maintain adjoining private lands free of impediments, it is considered that the vehicular existing vehicular entrance would be contrary to Objective DM Standard 28 of the Galway County Development Plan 2022-2028 and would represent a serious traffic hazard. Therefore to grant retention permission would be contrary to the proper planning and sustainable development of the area.

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

Kathy Tuck

Planning Inspector

26th September 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-319954-24		
Proposed Development Summary	Retention of the existing location of a vehicular entrance.		
Development Address	Balbrobuck, Corrandulla, Co. Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	X
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X		No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: 26th September 2026

Appendix 2
Appropriate Assessment Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c. 1.922km to the east of the Lough Corrib SAC and the Lough Corrib SPA.

The proposed development comprises of the provision of dwelling house, treatment unit, percolation area and all associated site services. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this conclusion is as follows:

- Nature of works and the limited scale of what is being proposed.
- The location of the site from nearest European site and lack of connections.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

Inspector: _____ **Date:** 26th September 2026