



An
Coimisiún
Pleanála

Inspector's Report PL-500148-GC

Development	Permission for the construction of a detached dwelling house, domestic garage and on-site wastewater treatment system and all associated site works.
Location	Ballyloughnane, Renmore, Galway City
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	25/60233.
Applicant	Robert O Reilly
Type of Application	Permission
Planning Authority Decision	Refuse planning permission
Type of Appeal	First Party v Decision
Appellant	Robert O Reilly.
Observer(s)	Three received
Date of Site Inspection	30 th day of January 2026
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The appeal site has a stated area of 0.2 hectares and is located within the Galway City suburb of Renmore at the southern end of the Balloughnane Road, which is located south of the R338-Dublin Road and approximately 2.5 kilometres to the east of the city centre. The subject site is located adjacent to and south of the Dubin-Galway rail line. The site is located adjacent and behind a row (eight in number) of detached single storey dwellings, located north-west of the subject site. The subject site is set back from the public road and would be accessed from a private laneway which runs along the south-western boundary of the site and has double gates (which are locked) to access the local public road. There is a partially constructed dwelling house which remains to be completed located south-east of the subject site which is also accessed from the private laneway. There is a site (with a for sale sign on it) on the opposite side of the private laneway. The eastern and southern site boundaries comprise a post and wire fencing, the western boundary comprises a post and rail fence and the northern boundary comprises natural stone walling and shrubbery.
- 1.2 The appeal site comprises a greenfield site and ground levels rise gradually from south-west to north-east. Galway Bay is located a couple of hundred metres further south and east of the appeal site.
- 1.3 There are no public footpaths, cycle lanes nor street lighting along this stretch of the Ballyloughnane Road. There are a number of bus stops located approximately 710 kilometres north of the appeal site along Renmore Avenue.

2.0 Proposed Development

- 2.1 The development as proposed seeks:
- Planning permission to construct a two-storey dwelling (272 square metres), a domestic garage (38 square metres) installation of an on-site wastewater treatment system and all associated site works.
- 2.2 The Planning Authority carried out an Appropriate Assessment (AA) screening exercise and concluded 'Having regard to the limited nature and scale of the proposed development it can be concluded that no Appropriate Assessment issues

arise as the proposed development would not be likely to have a significant effect individually, or in combination with other plans or projects on these European sites’.

- 2.3 The Planning Authority carried out a preliminary Environmental Impact Assessment (EIA) screening exercise and concluded ‘Having regard to the limited nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required’.

3.0 **Planning Authority Decision**

The Planning Authority issued a Notification of Decision to refuse planning permission on the 30th day of September 2025 for one reason as follows:

- 1- The proposed residential development is located on lands which are un-zoned in the current Galway City Development Plan 2023-2029 as required under Ministerial direction issued under Section 31 of the Planning and Development Act 2000 (as amended). The proposed residential development, if permitted would materially contravene the land use zoning objectives of the City Development Plan and would be contrary to the Ministerial Direction issued under Section 31 of the Planning and Development Act 2000 (as amended). , which deemed that the development of such piecemeal un-serviced and peripheral and/or isolated locations of land previously zoned residential R2, would undermine the potential of the city to deliver the national policy objectives of the National Planning Framework-Project Ireland 2040 for compact growth targets and to strengthen the value of green belts and green spaces at a city level. The proposed development would, therefore, be contrary to national planning policy, the policies of the City Development Plan and the proper planning and sustainable development of the area.

3.1 **Planning Authority Reports**

Planning Report

The report of the Planning Officer recommended a refusal of planning permission consistent with the Notification of Decision which issued.

3.2 Other Technical Reports

Environment Section: No objection, subject to conditions.

Surface Water Drainage Section: No objection. subject to conditions

3.3 Prescribed Bodies

None received.

3.4 Third Party Observations

The report of the Planning Officer states that three third-party observations were received. The main issues raised within the observations related to the following matters:

- The proposed dwelling would be located in close proximity to Galway Bay.
- The dwelling is not consistent with the height of the adjacent single storey dwellings.
- The development would lead to an over-concentration of individual wastewater treatment systems in the area.
- The local road leading to the site is narrow with little provision for traffic to pass by simultaneously.
- There is an advertisement sign on site stating that the site is being sold subject to planning permission.
- This is an area where local needs would apply and an enurement clause would be included as a planning condition.
- The proposed development is of a speculative nature and not specifically to serve a family member.
- The development would constitute overdevelopment on a rural land holding.
- The privacy of adjoining residential properties would be compromised.
- There is no public sewer in this area.
- Queries were raised over when the site notice was erected.

4.0 Planning History

On site:

I am not aware of any relevant planning history pertaining to the appeal site.

On adjoining site:

Planning reference 22/127-Planning permission was granted to Robert O Reilly (the current applicant) for the construction of a dwelling, domestic garage and on-site wastewater treatment system and all associated site works on the adjoining site immediately north-west of the subject site. To date no works have commenced on foot of this permission which will expire in November 2027.

5.0 Policy Context

5.1 Development Plan

5.1.1. The Galway City Development Plan (GCDP) 2023-2029 came into effect on the 4th day of January 2023 and is the relevant development plan for this assessment.

5.1.2 The subject lands are unzoned as per the current GCDP. The subject site and surrounding lands were subject to a Ministerial Direction and were subsequently de-zoned from an R2-residential zoning to being unzoned. Therefore, the appeal site does not now have the benefit of any land use zoning objective within the current Development Plan and is not specifically identified for residential development as was previously proposed when the City Plan was originally adopted. Lands further east are identified as an area for the preparation of the Murrough Local Area Plan and lands further west are zoned for recreation and amenity purposes.

The Ministerial Direction set out the following in relation to the dezoning of the subject site and adjoining lands 'The Development Plan as made includes extensive area of land zoned residential R2 in a piecemeal manner in un-serviced and peripheral and/or isolated locations, and more often in areas zoned Agriculture or Agriculture and High Amenity, that would undermine the potential of the city to deliver its 50% compact

growth target in National Policy Objective (NPO 3 a-c) , and inconsistent with NPO 62 to strengthen the value of green belts and green spaces at a city level’.

5.1.3. The appeal site is located within the ‘Established Suburbs’ (see Fig. 3.1) within the Galway City Development Plan 2023 – 2029.

5.1.4. The provisions of the Galway City Development Plan 2023-2029 relevant to this assessment are as follows:

Section 3.6 Sustainable Neighbourhoods Established Suburbs. Within the established suburbs – ‘Potential exists in the established suburbs for smaller infill development opportunities which can enhance the diversity of house type and contribute to local character. Infill development will be required to have regard to the existing pattern of development, plots, blocks, streets and spaces and should not be of such a scale that represents a major addition to, or redevelopment of, the existing urban fabric. The protection of existing residential amenity and character is a priority but must be balanced with opportunities for sustainable high-quality regeneration and appropriately scaled infill’.

- Policy 3.5 - Sustainable Neighbourhood Established Suburbs

(1) Facilitate consolidation of existing residential development and densification where appropriate while ensuring a balance between the reasonable protection of the residential amenities and the character of the established suburbs and the need to provide for sustainable residential development and deliver population targets.

(2) Encourage additional community and local services and residential infill development in the established suburbs at appropriate locations.

- Policy 8.7 - Urban Design and Placemaking

- Encourage high quality urban design in all developments.
- Promote the reuse and adaptation of derelict and vacant buildings.

Chapter 11, Part B includes development standards and guidelines, the following are of relevance to this assessment:

Section 11.3.2-Established suburbs which in the main references the Development Management standards for the Outer city suburbs.

5.2 National Policy

National Planning Framework 'Project Ireland 2040'- First Revision 2025

The NPF sets out a targeted pattern of growth for Galway City and Suburbs to 2040 of between 40,000 - 45,000 people. Relevant Policy Objectives include:

- National Policy Objective 4: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.
- National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- National Policy Objective 8: Deliver at least half (50%) of all new homes that are targeted in the five cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.
- National Policy Objective 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- National Policy Objective 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.
- National Policy Objective 83: Identify and strengthen the value of greenbelts and green and blue spaces at regional, city and local scales, to enable enhanced connectivity to wider strategic networks and prevent coalescence of

settlements and to allow for the long-term strategic expansion of urban areas. Promote and support an increase in the provision of green and blue spaces and tree canopy cover in settlements.

5.3 Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region 2022-2040

The RSES has identified the preparation of a Metropolitan Area Strategic Plan (MASP) for Galway city and its surrounds. Section 3.6.3 of the RSES sets out the following ‘Galway Metropolitan area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out within the NPF and the RSES. The targets set out within the RSES are that the population within the MASP area is anticipated to grow by 27,500 persons to the year 2026 and by a further 14,500 persons to the year 2031 and the population growth within the city and suburbs is expected to grow by 23,000 persons by 2026 and by a further 12,000 persons to 2031. It is anticipated that 50% of all new homes are to be delivered within the existing built-up footprint and 40% of these on infill/brownfield sites’. (RPO 3.6.2).

5.4 Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024.

Section 1.3.2 Compact Growth- ‘In particular, there is a recognition that dispersed settlement patterns are contributing to the social, economic and physical decline of the central parts of many of our cities and towns, as population and activities move out. There is a recognition that dispersed settlement patterns create a demand for travel and embed a reliance on carbon intensive private car travel and long commutes that affect quality of life for many citizens’. In order to achieve compact growth, we will need to support more intensive use of existing buildings and properties, including the re-use of existing buildings that are vacant and more intensive use of previously developed land and infill sites, in addition to the development of sites in locations served by existing facilities and public transport.

Section 3.3.1-Cities and Metropolitan Areas. Key priorities include:

- a) strengthen city, town and village centres,

and

(f) deliver sequential and sustainable urban extension at suitable locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built-up footprint of the city and suburbs area or a metropolitan town’.

5.5 Ministerial Guidelines

5.5.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Design Manual for Urban Roads and Streets (2019).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities, 2010.

5.6 Natural Heritage Designations

- Lough Corrib SAC (Site Code: 000297), is located approximately 2.45 kilometres west of the appeal site.
- Lough Corrib SPA (Site Code: 004042), is located approximately 2.45 kilometres west of the appeal site
- Galway Bay Complex pNHA (Site Code: 000268), c. 300 metres south-east of the appeal site.
- Galway Bay Complex SAC (Site Code: 000268), c.300 metres south-east of the appeal site.
- Inner Galway Bay SPA (Site Code: 004031), c. 215 metres south-west of the appeal site.

5.7 EIA Screening

(See Appendix 1 at the end of this report). Having regard to the modest nature and scale of development on a site within the City Development boundary and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can,

therefore, be excluded at preliminary examination and a screening determination is not required.

5.8 WFD Screening

The appeal site is located approximately 215 metres north-east of the nearest boundary of Galway Bay.

The proposed development relates to the construction of a detached two-storey dwelling, domestic garage, and wastewater treatment system. The detailed development description is set out within Section 2.0 of my report above.

Potential for impact upon water quality was raised by a number of the observers. The appeal site is an unzoned greenfield one which is not fully serviced in that there is access to the public watermains but no access to the public foul sewer network. The appeal site is located adjacent to lands within Flood zones A and B, but the subject site is located within Flood zone C as per the Strategic Flood Risk Assessment mapping (Section 7.14) as set out within the current Galway City Development Plan 2023 where a low risk of flooding is identified.

I have assessed the planning documentation and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, in relation to surface water management, I am satisfied that it can be eliminated from further assessment, as the applicant has demonstrated that there is no conceivable risk to Galway Bay in terms of its water quality.

The reason for this conclusion is as follows:

- The location of the subject site, removed from the nearest boundary of Galway Bay.
- The absence of direct surface water hydrological connections to Galway Bay or any other waterbodies.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

6.0 The Appeal

6.1 Grounds of Appeal

The applicant submitted a first party appeal submission addressing issues raised within the Planning Authority (PA) report and specifically addressing the reason for refusal as set out within the PA's decision. The issues raised relate to the following matters:

Principle of Development:

- The sole reason for refusal relates to the unzoned status of the appeal site where the subject lands were dezoned following the issuing of the Ministerial Direction (MD).
- The Council cited no other grounds of objection in relation to design, scale, siting, housing need, wastewater, traffic or environmental impacts.
- The proposal would, therefore, accord with the principles of proper planning and sustainable development
- The refusal reason is legally and substantively unsound.
- The reason for refusal relies entirely on generic policy statement concerning compact growth and green belt protection.
- No analysis is provided in terms of the actual characteristics of the appeal site, in terms of its proximity to serviced development in Renmore, its accessibility or ability to connect to infrastructure.
- The decision does not meet the statutory duty to give 'clear and intelligible reasons'. It deprives the applicant of knowing precisely why the development is contrary to 'proper planning'.

- The site is serviced and consolidates existing settlement patterns rather than promoting sprawl.
- The site is not 'peripheral' nor 'isolated', it has access to existing infrastructure and community facilities.
- No material detriment to the greenbelt function or landscape integrity arises.
- The Councils stance in this instance creates inconsistency within the planning system, imposing a restrictive regime on lands formerly zoned residential. The proposed development aligns with the current Galway City Development Plan policy 3.1 promoting compact growth within existing built-up areas, encouraging sustainable housing choice, protecting residential amenity and character ensuring adequate infrastructure. The proposal is not materially contrary to the overall objectives of the Plan.
- Determine that the Planning Authority's' reason for refusal is unsound and that the MD cannot be regarded as determinative in this instance.

Design and layout:

- The proposal represents small scale infill development adjacent to the established residential area of Renmore.

Other Issues:

- The High Court quashed the de-zoning of residential zoned lands for the Coolough/Ballindooly lands within the Galway City Development Plan 2023-29 and found that the Ministerial Direction (MD) had failed to provide site specific reasoning for the de-zoning. The judgement said that the MD must be

reasoned, transparent and proportionate and that generic reasoning is unlawful.

- The PA must consider if the application of the MD has been properly interpreted and whether reliance on same is justified in this instance.
- The validity of the MD remains uncertain in light of the Coolough precedent.
- The MD cannot be treated as an automatic planning constraint overriding all other considerations.
- There have been three identical developments permitted on this land parcel over the last 5 years under planning reference numbers 20/221, 21/391 and 22/127.
- How can the PA say that development which follows the established pattern of approved development at this location is inappropriate.
- Development of single dwellings are frequently granted on unzoned lands within urban settlements without the requirements for local housing need stipulations.
- A similar development was granted on unzoned lands within the environs of Galway under 24/60629 by Galway County Council
- The refusal of permission applies a disproportionate interpretation of national planning policy to a modest individual proposal, whereas the Ballindooly judgement underscores the need for proportionate and site-specific reasoning.
- The applicant requests that An Coimisiún Pleanála grants planning permission for the proposed development, subject to appropriate planning conditions.

6.2 Planning Authority Response

None received.

6.3 Observations

Three observations were received by the Board from neighbouring residents. The issues raised within the observations relate to the following matters:

- The appeal site is not zoned for residential development.

- The site is unzoned and lacks clear planning guidance, making it difficult to ensure that any development would be appropriate, sustainable or in keeping with the character of the area.
- Approving development in this instance would establish an undesirable precedent for further unplanned growth, potentially leading to over development and loss of valuable rural and natural amenities.
- The proposed development would be out of character and scale with the existing established dwellings in the area.
- Permitting an additional dwelling, in addition to those permitted under planning reference numbers 20/221, 21/391 and 22/127 would continue a pattern of overdevelopment in this area.
- Permitting development would establish an undesirable precedent for sporadic and unplanned development and be contrary to the proper planning and sustainable development of the area.
- The Ballyloughnane area provides an important green space for residents and visitors while supporting wildlife and biodiversity.
- Further development in this area would erode the landscape, disrupt habitats, and diminish the scenic quality that defines the area.
- It is essential to preserve the natural and visual amenities of this area for current residents and future generations.
- The applicant associated with planning reference 21/391 is also seeking to sell a site for which permission was granted for a family home.
- These applicants are related but neither have ever resided in Ballyloughnane, and both currently reside elsewhere.
- They have no established connections to or demonstrate commitment towards the local community.
- The development would result in an over-concentration of individual wastewater treatment systems in a limited area, eleven individual wastewater treatment systems within this part of Ballyloughnane.
- The development is speculative in nature and would not serve a family member.
- The Ballindooly judgement decision by the High Court does not act as a precedent and each decision of the PA should be considered on its individual merits.

- The development does not constitute infill development but instead is located on unzoned land on the periphery of the city.
- The subject site is not serviced in terms of having access to a public sewer.
- The planning applications referred to by the applicant were all assessed under the provisions of the previous Galway City Development Plan 2017-2023.
- The current proposals were assessed under the provisions of the current Galway City Development Plan 2023-2029.
- It is incomparable to reference a decision by Galway County Council on zoned lands to the current proposal.
- The subject site is located in close proximity to the Galway Bay Natura 2000 sites.
- The Planning Authority has a duty to apply the content of the Ministerial direction.

7.0 **Assessment**

7.1 The main issues are those raised within the grounds of the first party appeal and the Planning Report, and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development
- Design and Layout
- Other Matters
- Appropriate Assessment

7.2 **Principle of Development**

7.2.1 Within the National Planning Framework (NPF-as revised 2025) Galway is identified as an important economic driver of national growth and as being a key regional centre within the northern and western region. The NPF targets a significant proportion of future urban development within urban infill/brownfield sites within the built footprint of existing urban areas. The Regional Spatial and Economic Strategy (RSES) for the Northern and Western region has identified the preparation of a Metropolitan Area Strategic Plan (MASP) for Galway city and its surrounds. Section

3.6.3 of the RSES sets out the following 'Galway Metropolitan area has considerable land capacity that can significantly contribute to meeting the housing demands based on population targets set out within the NPF and the RSES. The targets set out within the RSES are that the population within the MASP area is anticipated to grow by 27,500 persons to the year 2026 and by a further 14,500 persons to the year 2031 and the population growth within the city and suburbs is expected to grow by 23,000 persons by 2026 and by a further 12,000 persons to 2031. It is anticipated that 50% of all new homes are to be delivered within the existing built-up footprint and 40% of these on infill/brownfield sites (RPO 3.6.2).

7.2.2 Section 3.6 of the City Development Plan (CDP) is entitled Sustainable Neighbourhoods-Established Suburbs. The potential for smaller infill opportunities exists subject to having regard to the character of the area and respecting existing residential amenities, which is identified 'as a priority'.

7.2.3 I acknowledge the context of the appeal site. The appeal site is located approximately 2.16 kilometres east of Eyre Square. However, the subject site is located on unzoned lands, which are not served by a public sewer, are not served by public footpaths nor cycle lanes and is located approximately 710 metres south of the nearest bus stops, located on Renmore Avenue.

7.2.4 I consider from a sequential perspective, the appeal site would not be suitable for development, given its unzoned status and where there is no access to a public sewer. I am of the opinion that permitting development on unzoned lands would be contrary to National, regional and local planning policy regarding development on residential zoned lands and or infill sites. The subject site would not constitute an infill site and would be a backland site, located behind a site located immediately adjoining and north-west of the subject site where the applicant has already received planning permission for a dwelling in November 2022, under planning reference 22/127. The applicant has failed to reference this permission or to submit a justification for seeking planning permission for an additional dwelling unit on the unzoned lands, albeit the lands were zoned for residential purposes when planning permission was granted under 22/127 and which was permitted under the provisions of the previous Galway City Development Plan 2017-2023.

7.2.5 Permitting an additional dwelling to the applicant on unzoned lands would be contrary to the principle of compact growth and would also be contrary to the sequential planning of promoting residential development on existing residential zoned lands within the City which have significant capacity for additional residential development as identified within paragraph 7.2.1 above. The proposal would result in piecemeal development that is unplanned and located on un-serviced lands in that there is no public sewer available to service the site. There are no public footpaths, cyclelanes nor streetlighting at this location and the site is removed from connectivity to the town centre in terms of close proximity to public transport. Therefore, I consider that the proposals would be contrary to the provisions of policy objective 3.5 within the current Galway City Development Plan 2023-2029 regarding promoting compact growth and consolidated development as part of developing sustainable neighbourhood and achieving sustainable residential development on zoned and serviced lands, National Policy Objectives 4, 7 and 8 within the National Planning Framework (NPF-as revised 2025) in relation to increasing population and the number of households in cities and their identified suburbs and Regional Policy Objective 3.62 regarding delivering new homes within the existing built-up footprint and 40% of these on infill/brownfield sites.

7.2.6 In conclusion, the current proposals, located on unzoned and unserviced greenfield site in terms of there being no public sewer available in this area, would provide for an additional housing unit which is isolated and peripheral from lands which are serviced and specifically zoned for residential development as set out within the current Galway City Development Plan 2023-2029. Section 3.6 of the current GCDP 2023 specifically identifies locations suitable for residential development in urban areas, including within the Sustainable Neighbourhoods-Established Suburbs and, therefore, the current proposals would be inconsistent with the Core and Settlement Strategies as set out in the current City Development Plan 2023-2029.

7.3 **Design and Layout**

7.3.1 I note that the Planning Authority within their planning assessment did not raise any particular issue with density of development, adverse residential amenity impact in terms of overlooking, over shadowing, house type or the quality of private open

space that would be provided or in relation to the onsite wastewater treatment proposals. Therefore, it is not considered necessary to specifically address these issues as part of this assessment.

Site Layout:

7.3.2 The layout as proposed would be located to the rear of an existing permitted residential unit (not yet commenced) which has frontage directly onto the southern section of the Ballyloughnane Road. The current proposals would access onto a private laneway onto which the applicant has a right of way onto and this accesses onto the Ballyloughnane Road. The front elevation of the proposed dwelling faces onto the private laneway and would face towards the rear garden spaces of the established dwellings, further south-west of the appeal site. The subject site is isolated and peripheral in relation to the residential zoned lands in Renmore located north and north-west of the subject site and north of the adjacent Galway-Dublin rail line. The proposals would result in piecemeal, haphazard and non-integrated development given there is no plan for residential development on these specific lands as set out within the current Galway City Development Plan 2023-2029. Therefore, the current proposals are not plan-led and would be contrary to the proper planning and sustainable development of the area.

Infill Development:

7.3.3 As set out within Section 7.2 of the assessment above, the principle of infill development would be acceptable within the established suburbs. However, the current proposal is located on unzoned lands on a greenfield site which does not relate to redevelopment of a brownfield serviced site that has the benefit of a residential land use zoning objective. The provisions of Section 3.6 within the City Plan refers to the development of sustainable neighbourhoods-established suburbs. The following is set out specifically in relation to small infill development opportunities 'Potential exists in the established suburbs for smaller infill development opportunities which can enhance the diversity of house type and contribute to local character. Infill development will be required to have regard to the existing pattern of development, plots, blocks, streets and spaces and should not be of such a scale that represents a major addition to, or redevelopment of, the existing

urban fabric. The protection of existing residential amenity and character is a priority but must be balanced with opportunities for sustainable high-quality regeneration and appropriately scaled infill'. The current proposal would be located behind a site that has an extant planning permission, although this permission remains unactivated to date. The subject site is not located between existing or extant residential development. Therefore, I do not consider that the current proposal constitutes infill development as per section 3.6 of the current City Development Plan.

7.3.4 The applicant has failed to illustrate on the Site Layout Plan submitted how the current proposals would relate to the permitted residential unit immediately adjoining and north-west of the subject site.

7.3.5 In terms of having regard to the existing pattern of development within the area, the development would not be in the character of dwellings in the immediate vicinity of the subject site which are all single storey. This matter was raised within a number of the observations received from neighbouring residents. I note the design of the dwelling proposed, which comprises a traditional single storey design facing onto the private laneway (south -west facing) with a contemporary two storey element to the rear. Notwithstanding the backland nature of the proposal which I consider to be haphazard and isolated and peripheral in the wider context of the current Galway City Development Plan, the design would be in the main acceptable and would be approximately 50 metres removed from the nearest residential unit located west of the subject site. By virtue of the generous separation distances, I consider that the residential amenities of neighbouring residential properties would not be adversely impacted by the proposals.

7.3.6 In conclusion, I note the applicants' proposals to provide for a dwelling on unzoned lands which are not served by a connection to the public sewer and notwithstanding that an acceptable design has been presented and as adequate quality and quantum of private open space within the development has been provided for, I consider that the proposal would be contrary to the provisions of Section 3.6 within the City Development Plan in relation to development within the established suburbs, and

that the proposals would constitute isolated, peripheral, haphazard and non-integrated development, be contrary to the provisions of planning policy

7.4 **Other Matters**

7.4.1 The applicant has referenced a number of permissions granted in the vicinity of the subject site and therefore, the current proposals should be considered in a positive manner the same as those extant permissions. I note the permissions referenced were all permitted under the provisions of the previous Galway City Development Plan 2017-2023 where these lands had the benefit of a residential land use zoning objective. The current proposal was assessed by the PA under the provisions of the current Galway City Development Plan 2023-2029 which was subject to a Ministerial Direction which required the removal of the R2 -residential zoning objective from the subject lands and adjacent lands. Therefore, this represents the context in which the current proposals must be assessed and not the historic land use zoning objective that pertained to the lands under a plan that has since been superseded.

7.4.2 I note that the applicant references another example where Galway County Council permitted a dwelling on unzoned lands. However, each case must be considered on its individual planning merits and no two sites would comprise the same characteristics in terms of dimensions, context, ground levels etc.

7.4.3 I note that the planning authority's reason for refusal states that the 'proposed development, if permitted, would materially contravene the land use zoning objectives of the City Development Plan'. This part of the refusal reason refers to a general approach to development within the City settlement boundary and is not, in my view, sufficiently specific so as to justify the use of the term "materially contravene" in terms of normal planning practice. As set out above within Section 5 (Policy) and Section 7.2 (Principle of Development), within this report the subject lands are unzoned following the issuing of a Ministerial Direction to the Planning Authority to remove the R2-residential land use zoning objective from the subject lands and the adjoining lands following the adoption of the current City Plan in January 2023. The subject lands were subsequently dezoned. As the lands are no longer currently zoned for any specific land use, I am of the opinion that the

Coimisiún should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act in this instance.

8.0 **Appropriate Assessment**

- 8.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The Inner Galway Bay SPA (Site Code: 004031), is located approximately 215 metres south-west of the appeal site and the Galway Bay Complex SAC (site code 000268) is located approximately 300 metres north -east of the subject site. The development description was set out within Section 2 of the report above. One of the observers referenced the potential for adverse impacts to arise upon the Galway Bay Natura 2000 sites. The PA conducted an AA screening exercise, referenced in Section 2.2 of this report above.
- 8.2 The applicant did not submit an AA screening report as part of their planning documentation. I consider that the appeal site is not hydrologically/ecologically connected to any of the European sites, located south-west and north-east of the appeal site. There were no drainage ditches evident within the confines of the appeal site nor along its boundaries. Therefore, I am satisfied that there is no apparent surface water hydrological link between the appeal site and any European site.
- 8.3 I am satisfied that if the proposed development was to be developed in accordance with best practice construction standards and given that the site is connected to the public foul sewer, that no adverse impacts on water quality, or the qualifying interests or conservation objectives of the European sites referenced in Section 8.1 above, would arise.
- 8.4 I am satisfied that the implementation of the standard control construction measures including those of surface water management in the form of SuDS measures and the installation of a site-specific packaged wastewater treatment system would not result in the residential unit adversely impacting upon surface nor groundwater quality in this area. I consider that even in the unlikely event that standard control measures should fail, an indirect hydrological link (via the Maam Clonbur groundwater body) represents a weak ecological connection. I consider this to be the case given the separation distance to the nearest European sites and the nature of the suburban urban

environment between the appeal site and the nearest European sites, the absence of suitable habitat on site to serve the protected species for foraging/feeding purposes, As such any pollutants from the site that should enter groundwater during the construction stage, via spillages onto the overlying soils, will be subject to dilution and dispersion within the groundwater body, rendering any significant impacts on water quality within the nearest European sites unlikely. This conclusion is supported within the Planning Authority's AA screening determination, which concluded the following 'no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on these European sites'.

8.5 Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to these or any other European Site. The reason for this conclusion is as follows:

- The modest scale of the development, which relates to an additional dwelling unit within a greenfield site.
- The separation distance from the nearest European site and the lack of hydrological or ecological connectivity to any Natura 2000 site.
- The AA screening exercise conducted by the Planning Authority which concluded that either alone or in combination with other plans or projects, there would be no likely significant effects on any European sites.

8.6 I conclude that on the basis of objective information, the proposed development would not have a 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 (as amended) is not required.

9.0 **Recommendation**

I recommend that planning permission be refused for the following reasons:

10.0 Reason(s)

1- Having regard to the location of the site within the current Galway City Development Plan 2023-2029 settlement boundary on unzoned lands without access to the public sewer and the close proximity to residential zoned lands where residential development is planned and provided for and can be serviced, the current proposals for the development of a single dwelling would contribute to the encroachment of development in an area that is not specifically designated for residential development and would provide for unsustainable piecemeal, isolated and haphazard development. The proposed development would, therefore, be contrary to Policy Objective 3.5 of the current Galway City Development Plan 2023-2029 in relation to promoting compact growth and the facilitation and consolidation of existing residential development within the Sustainable Neighbourhoods Established Suburbs, National Policy Objectives 4, 7 and 8 and Regional Policy Objective 3.6.2 in terms of targeting 40-50% of all new homes and population growth within the cities and designated suburbs of the five cities including Galway City and as set out within the National Planning Framework (as revised 2025) and the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Region 2020.

2-The "Sustainable Residential Development and Compact Settlements-Guidelines for Planning Authorities" issued by the Department of Housing, Local Government Heritage (2024), the key priorities set out within Section 3.3.1 recommend that a sequential and co-ordinated approach to residential development, whereby zoned serviced lands should be developed in advance of unzoned lands so as to avoid a haphazard and costly approach to the provision of social and physical infrastructure and where undeveloped zoned lands closest to the core and public transport routes be given preference. Given the unzoned nature of the subject site, as set out in the current Galway City Development Plan for the area, it is considered that the site is located in an area which is remote and isolated from other areas of consolidated residential development and not in accordance with the orderly expansion of the settlement. Having regard to the absence of pedestrian linkage, the excessive walking distance to the city centre of Galway, the absence of public transport in the immediate vicinity of the appeal site to the city centre and the absence of social and community facilities in the vicinity, it is considered that the proposed development

would be excessively car dependent and would, therefore, be contrary to the key priorities as set out within Section 3.3.1 of the Compact Settlement Guidelines and 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.

Fergal Ó Bric
Planning Inspectorate

25th day of February 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	PL-500148-GC		
Proposed Development Summary	Permission for the construction of a dwelling, domestic garage, on -site wastewater treatment system and associated site works.		
Development Address	Ballyloughnane Road, Renmore, Galway City		
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	X	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	A single residential unit domestic garage and installation of a wastewater treatment system does not fall within a class of development as per the Planning and Development Regulations.	X
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank		
No	Tick/or leave blank		X

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?

Yes	Tick/or leave blank	Proposals relate to the development of a single residential unit, domestic garage and installation of a wastewater treatment system	X
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5. Has Schedule 7A information been submitted?

No	Tick/or leave blank	X
Yes		

Inspector: _____

Date: _____