

An
Coimisiún
Pleanála

Direction
CD-021351-25
ABP-317076-23

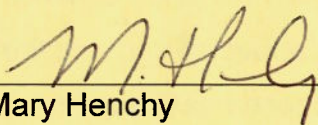
The submissions on this file and the Inspector's report was considered at meetings held on 10/7/2024 and 9/4/2025, and the Inspector's reports were considered at a meeting held on the 12/11/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Date: 20/11/2025


Mary Henchy

DRAFT WORDING FOR ORDER

Reasons and Considerations

The layout of the scheme (drawing reference number 3002 Rev F.I.) does not incorporate the attributes of good placemaking, as set out in Chapter 8, section 8.8, and that are achieved through the development standards set out in Chapter 11 of the Galway City Development Plan 2023-2029, with regard to the juxtaposition of apartment blocks with open space, the dominance and layout of car parking and the position of the creche, specifically:

(a) the proliferation of car parking and the distribution of apartment blocks three and four result in the quality and usability of the main public open space being

compromised, by reason of extensive overshadowing and a street layout that would not be conducive to safe pedestrian access. This would be contrary to development plan standard 11.3.1 that seeks to deliver open space in new residential developments easily accessible to all.

(b) Car parking dominates the overall scheme, and this departs from the advice provided by Design Manual for Streets (DMURS) and development standard 11.3.1, of the City Development Plan where adherence to the principles of DMURS is advised. No investigation of reduced car parking or supplementary and well-designed off-street parking has been advanced and so the layout and arrangement of car parking conflicts with the sustainability objectives of the development plan and results in an adverse and visually dominant feature that diminishes the potential residential amenity value of the main central open space.

(c) Section 11.14 of the development plan advises that new childcare proposals should take account of existing residential amenities and the resultant intensity of vehicular movements. The centralised location and position of the proposed childcare facility is unsatisfactory in terms of separation distance from adjacent dwellings and its position at the centre of the overall scheme that would lead to additional traffic generation, hence the proposed development would detract from the residential amenities of adjacent property and lead to the potential for traffic hazard generated by the childcare facility.

The proposed development does not accord with development standards in Galway City Development Plan as set out above, the development therefore does not accord with the proper planning and sustainable development of the area

Note:

The Commission noted that at appeal stage the redline had been extended and works were indicated on these lands (drawing reference number 3001 Rev A.B.P. and drawing reference number 10682-2015 P01) and, that the applicant had received a letter of consent from Galway City Council, dated 13th of April 2021, to include lands in its ownership for the purpose of a planning application. The Inspector raised concerns in the addendum report that this revised redline boundary was not the subject of a new site notice. The Commission considered that if it was not for the substantive reasons for refusal it may have pursued this matter further including requesting the applicant to readvertise or, noting that the new works are on lands that are in Local Authority's ownership, may have considered conditioning the

local authority to carry out the works at the applicant's expense, but due to the substantive reasons for refusal did not pursue this matter.

For clarity the Commission considered the Inspectors initial report dated the 18th of April 2024 at a Board meeting on the 10th of July 2024. The Board noted that the Inspectors assessment was confined to the original application for reasons set out in that report, the Board considered the totality of the case particularly the fact that the revised scheme was readvertised and the substance of the appeal related to the scheme that was readvertised, the Board therefore considered it incumbent on it to consider the scheme the subject of the appeal and requested the Inspector to provide an addendum report.

For completeness with regard to the Inspectors initial recommendation, the Commission may have considered reverting to the original scheme albeit after giving public notice of same, had it concurred with the Inspector's recommendation, but on the facts of the case the Commission concurred with the planning authorities concerns with regard to the single access and egress arrangement proposed onto Kingston Road and considered the request to provide revised design solutions was warranted.