



An
Coimisiún
Pleanála

Direction
CD-021663-26
ABP-321819-25

The submissions on this file and the Inspector's report were considered at meetings held on 25/07/2025 and 07/01/2026.

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

Planning

Commissioner:


Stephen Bohan

Date: 07/01/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the zoning objective of the subject site, the provisions of the Galway County Development Plan 2022 – 2028, the design and relationship with the existing protected structure on the site and protected structures in the vicinity as well as the location within An Spidéal Architectural Conservation Area, the national monuments in the vicinity, the need to protect the Irish language in An Gaeltacht, the location within an existing village centre area, the presence of a bat roost and bats on the site and the issuing of a Bat Derogation Licence in relation to same, to the nature and scale of the proposed development and its relationship with adjacent

development and the village centre and the facilities proposed and in terms of its impacts on residential amenities, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity, architectural heritage, ecology including Annex IV species and would be acceptable in terms of traffic safety, flood risk and archaeology, convenience and sustainable transportation. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the An Coimisiún Pleanála on the 6th day of February 2025 and the 28th day of August 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No development shall commence on site until such time as the developer has obtained a current Bat Derogation Licence issued by the National Parks and Wildlife Service and all development shall be carried out in full compliance with the terms and conditions of such license.

Reason: To protect the integrity of Annex IV bat species on the site.

3. In addition to the external materials shown on the submitted elevations, the west, north and south levels above ground floor level shall be finished in a high-quality light colour stone finish. Prior to commencement of development details of all external finishes shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of visual amenity.

4. The student accommodation apartments/rooms hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended), and shall not be used for any other purpose without a prior grant of planning permission for change of use.

Reason: In the interests of the amenities of occupiers of the units and surrounding properties.

5.

- a) All signage shall be written in the Irish language and priority shall be given to the Irish language at all times. All building and street signs shall be provided in accordance with an agreed scheme.
- b) No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the building exterior/within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

6. The proposed development shall be amended as follows:

- a) An additional 14 no. cycle parking spaces shall be provided adjacent to or within 10 metres of one of the proposed sets of cycle parking spaces such that a minimum no. of 67 spaces are provided.
- b) Additional EV parking spaces to comply with DM Standard 31 of the Development Plan shall be provided and otherwise the road and parking layout provided for on drawing number 3117ABP (DMURS Compliance

Roads and Parking Dimensions) as submitted to An Coimisiún Pleanála on the 6th day of February 2025, shall be implemented in full.

- c) The recommendations contained in the 'Travel Plan' as submitted to the Planning Authority on the 7th day of November, 2024, shall be implemented in full.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of sustainable transportation.

7. The landscaping scheme shown on drawing numbers FIO-SPI/LMP/001a and FIO-SPI/LMP/002, as submitted to An Coimisiún Pleanála on the 6th day of February 2025, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

8. The recommendations of the 'Addendum to Stage 1 / 2 Road Safety Audit' report as submitted to An Coimisiún Pleanála on the 6th day of February, 2025, shall be implemented in full.

Reason: In the interests of traffic safety.

9. The mitigation measures recommended in the 'Architectural Heritage Impact Assessment Report' as submitted to An Coimisiún Pleanála on the 6th day of February, 2025, shall be implemented in full.

Reason: In the interests of conservation.

10. All mitigation measures in relation to archaeology and cultural heritage as set out in the 'Cultural Heritage Impact Assessment' as submitted to An Coimisiún Pleanála on the 6th day of February, 2025, shall be implemented in full. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any archaeological investigative work/ excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

11. All design measures in relation to flooding and drainage as set out in the 'Flood Risk Assessment of an Spidéal Campas Cruthaitheach (Spiddal Creative Campus)' as submitted to the Planning Authority on the 7th day of November, 2024, shall be implemented in full.

Reason: To prevent significant flooding.

12. Drainage arrangements including for the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority, for written agreement, a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

13. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

14. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual amenity.

15. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

16. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

17. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

18. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

19. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

20. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and

the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

[Note: The Commission notes that refusal reasons nos. 1 and 2 of the planning authority's decision, both state that the proposed development would materially contravene various policy objectives and development management standards of the Galway County Development Plan 2022–2028. Having considered the inspector's reports, the appeal submissions, and the design revisions, the Commission agrees with the inspector that the proposed uses are permissible in principle on lands zoned for community facilities and that the revised height, massing, siting and architectural treatment, together with the traffic, parking and flood-risk arrangements, comply with the relevant heritage, design, transport and flood-risk provisions of the Plan. The Board therefore concludes that the development does not materially contravene the Galway County Development Plan 2022–2028 and that it is not necessary to invoke the material contravention provisions of section 37(2) of the Planning and Development Act 2000, as amended.]