



An
Coimisiún
Pleanála

Direction (2)
CD-020424-25
ABP-322383-25

The submissions on this file and the Inspector's report were considered at an additional meeting held on 04/09/2025.

It is noted that the Commission made an initial decision on the case as per the Direction issued on 06/08/2025, subsequently it was brought to the Commissions attention that four observations relating to the appeal were not contained on file when brought to the initial Commissioners meeting. It was decided to seek an addendum report from the reporting inspector and reconvene a Commissioners meeting to ensure that the totality of the submissions received and the inspectors addendum were considered in determining the appeal.

The Commission decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner:

Date: 04/09/2025


Paul Caprani

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission considers that, subject to compliance with the conditions set out below, the proposed development would be consistent with the residential zoning objective relating to the site and other policies and objectives of the Galway City

Development Plan 2023-2029 including Policy 3.5 and would constitute an appropriate form of infill residential development, would not seriously injure the residential or visual amenities of property in the vicinity, and subject to conditions set out below would provide acceptable levels of residential amenity for future occupants, would be acceptable in terms of traffic safety and convenience, and would be capable of being adequately served by water supply, wastewater, and surface water networks. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission did not accept that the proposed dwelling materially breached the established building line, and replicated the established building line to the south. Any breach of the building line to the north would not materially impact on the amenity of residents in the vicinity. Furthermore the Board considered that the proposal complied with the zoning objective and that subject to the conditions set out below complied with policy 3.5 of the current County Development Plan by Facilitating 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 and Encouraging additional community and local services and residential infill development in the established suburbs at appropriate locations. In coming to its conclusion the Board considered the totality of all the submissions on file, including the four observations and the inspectors additional report dated 20th August 2025.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority, as amended by the further information plans and particulars submitted to the planning authority on the 19th day of April 2024, 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. The Applicant shall submit revised drawings for written agreement with the planning authority, reducing the number of bedrooms in the residential unit to three and the dwelling shall include at least 1 no. double bedroom in accordance with minimum standards set out in Quality Housing for Sustainable Communities 2007 issued by the Department of the Environment Heritage and Local Government.

Reason: In the interest of amenity for the future occupants

3. Details of the materials, colours, and textures of all the external finishes to the proposed building and boundary treatments shall be as submitted with the application, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity and orderly development.

4. Prior to commencement of development, the developer shall submit an acceptable naming and/ or numbering scheme for the written agreement of the planning authority.

Reason: In the interest of orderly development.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

6. a) The developer shall enter into Connection Agreement(s) with Uisce Éireann, prior to commencement of development, to provide for a service

connection(s) to the public water supply and/ or wastewater collection network and adhere to the standards and conditions set out in that agreement.

b) All development shall be carried out in compliance with Uisce Eireann codes and practices.

Reason: To provide adequate water and wastewater facilities in the interest of public health.

7. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

(i) Existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping

(ii) The measures to be put in place for the protection of these landscape features during the construction period

(iii) The species, variety, number, size and locations of all proposed trees and shrubs [which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder] [which shall not include prunus species]

(iv) Details of screen planting

(v) Details of roadside/street planting [which shall not include prunus species]

(c) A timescale for implementation

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 [or until the development is taken in charge by the local authority, whichever is the sooner], 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. a) the main entrance to the development shall be provided in accordance with the standards specified in the Design Manual for Urban Roads and to the construction standards of the planning authority for such works.
- b) The site frontage along John Coogan Park shall be set back and/ or a footpath with dishd kerbing shall be provided in accordance with the construction standards of the planning authority for such works.
- c) All works shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority.

Reason: In the interest of traffic and pedestrian safety, and sustainable transport.

9. 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. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

11. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise, dust, debris management measures, traffic management measures, and off-site disposal of construction waste.

Reason: In the interests of public safety and residential amenity.

12. 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 Bord 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.