

An
Coimisiún
Pleanála

Direction
CD-020853-25
ABP-322672-25

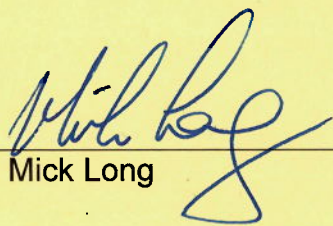
The submissions on this file and the Inspector's report were considered at a meeting held on 01/10/2025.

The Commission decided to refuse permission for the following reason and considerations.

Planning

Commissioner:

Date: 01/10/2025


Mick Long

DRAFT WORDING FOR ORDER

Reason and Considerations

Having regard to the constrained nature of the site and the proposed design, layout and height of the development, the Commission is not satisfied that the proposed development would protect the residential amenity of existing occupants to the rear of the site by reason of overlooking of the adjoining private amenity space and would not therefore comply with Section 11.3.1 (d) of the Galway City Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission agreed that the proposed development would be appropriate in terms of density at the well serviced location and would not create a traffic hazard but did not agree that the proposed development would not seriously injure the residential amenity of the houses to the rear of the site. The separation distance of 8.5m-10.3m to the rear adjoining open space does not meet the 11m requirement of Section 11.3.1 (d) of the Galway City Development Plan 2023-2029, the requirement of which may be greater than 11m given that the development exceeds 2 storeys. The Commission was not satisfied the reduced separation distance is adequate to protect the existing residential amenity and considered that significant overlooking would be likely to occur.