

An
Coimisiún
Pleanála

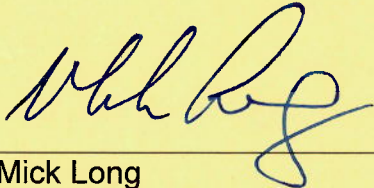
Direction
CD-020908-25
ABP-322705-25

The submissions on this file and the Inspector's report were considered at a meeting held on 08/10/2025.

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:


Mick Long

Date: 08/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location of the site within the village of Kinvara, the policies of the Galway County development plan 2022-2028 to provide for the development of and consolidation of village centres and the established use of the site for residential purposes, it is considered that, subject to compliance with the conditions set out below, the proposed development would activate the use of an underutilised building and would not impact on the recorded monuments in the vicinity of the site, nor on the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 planning authority on the 24th day of April, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed roof ridge line of the dwelling shall be in line with the ridge line of the adjoining property to the west as shown on drawing number 294.PL 105 and shall not protrude above this level.

Reason: In order to protect the visual amenities of the area.

3. Details of the external finishes of the proposed development, including details of materials, texture and colour, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. All surface water generated within the site boundaries shall be collected of and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: To ensure adequate servicing of the development and to prevent pollution.

5. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist on the site. In this regard the developer shall:

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operations (site clearance works, topsoil stripping, groundworks, hydrological, geotechnical investigations) relating to the proposed development, and

(b) employ a suitably qualified archaeologist to monitor under licence all site investigations and site clearance works.

Should archaeological remains be identified during the course of monitoring, all works shall cease pending a decision of the planning authority, in consultation with the National Monuments Service regarding appropriate mitigation. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority following consultation with the National Monuments Service shall be complied with by the developer. Following the completion of all archaeological work on the site and any post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation. All resulting and associated archaeological costs shall be borne by the developer.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation and protection of any remains that may exist on the site.

6. The mitigation measures outlined in the Bat Survey shall be implemented in full.

Reason: To ensure the protection of natural heritage on the site.

7. The construction of the proposed 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 the intended construction practice for the proposed development, including noise and dust management measures and off-site disposal of construction/demolition waste.

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

8. 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 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 amenities of property in the vicinity.

The Commission noted Section 34(13) of the Planning and Development Act 2000, as amended, which provides that 'a person shall not be entitled solely by reason of a permission under this section to carry out any development'.