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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 17/1447**

**APPEAL** by Aidan McGuinness care of McCarthy Keville O'Sullivan of Block 1, G.F.S.C., Moneenageisha Road, Galway against the decision made on the 15<sup>th</sup> day of February, 2018 by Galway County Council to refuse permission to the said Aidan McGuinness.

**Proposed Development:** Development of two 'drive thru' restaurant/takeaway units (gross floor area 476 square metres) to consist of (1) Unit 1 - construction of a 138 square metres restaurant/takeaway to include kitchen, serving area, waiting area and staff welfare facilities, (2) construction of a 302 square metres restaurant/takeaway to include kitchen, serving area, waiting area, seating area, male and female toilets and staff welfare facilities, (3) construction of a 31 square metre lobby area to service both restaurant/takeaways, (4) construction of two-lane drive thru takeaway facility associated with the food offer to include access, two order points and two collection points, (5) all ancillary signage, site works, outdoor seating, boundary treatments, drainage systems and landscaping; all at Cosmona, Loughrea, County Galway.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. The proposed development of two restaurant/take-away units with drive-thru facility on a site zoned for mixed use commercial and retail development is located unacceptably close to existing and proposed residential development. It is considered that the proposed uses are not a complementary use on a suitable site as required by the C2 zoning objective set out in the Loughrea Local Area Plan, 2012-2018 which has been extended to 2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It has not been demonstrated that the proposed development, in addition to the development proposed on the adjoining sites, can be safely accommodated by the existing public sewer network. The proposed development would, therefore, be prejudicial public health.

3. It has not been demonstrated that the subject site can safely satisfy the car parking requirement for drive-thru restaurants without compromising the adjoining Loughrea Shopping Centre. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**