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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 17/388**

**Appeal** by Eoin Kelly and others care of 'Villette', Lisheenkyle, Athenry, County Galway against the decision made on the 28<sup>th</sup> day of June, 2018 by Galway City Council to grant subject to conditions permission to The Department of Education and Skills care of Mullarkey Pedersen Architects of 23 Hawkin Street, Derry City in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Development consisting of: (a) The construction of a new plastered and capped blockwork wall (approximate height 2.4 metres above existing ground level) to the eastern and north-eastern boundaries; (b) The provision of surface water soakaway of 169 metres cubed; and (c) The retention of existing attenuation tank, all at Galway Educate Together National School, Thomas Hynes Road, Newcastle, Galway.

**Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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**

Having regard to planning history and established use of the site, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would not give rise to flooding, would not injure the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out, retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 23<sup>rd</sup> day of April, 2018, except as may otherwise be required in order to comply with the following condition. Where such condition requires details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out, retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) The construction and commissioning of the surface water soakaway shall be monitored by a suitably qualified bonded engineer who shall submit a report to the planning authority certifying the construction and operation of the surface water system within four weeks of installation of the system.
  
- (b) A maintenance contract for the attenuation tank and soakaway shall be entered into and kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.

**Reason:** In the interest of public health.

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**Paul Hyde**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**