

Board Order ABP-305982-19

Planning and Development Acts 2000 to 2019

Planning Authority: Galway City Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 21st day of November 2019 by Glenveagh Living Limited care of McCarthy Keville O'Sullivan, Tuam Road, Galway.

Proposed Development

A planning permission for a strategic housing development at Gort na Bró, Rahoon, Galway.

The proposed development comprises of:

- 1. Construction of 332 number residential units:
 - 93 number one-bed apartments,
 - 219 number two-bed apartments,
 - 20 number three-bed apartments;
- 2. Provision of 2,667 square metres of commercial floorspace;
- 3. Provision of 93 square metres of community use facilities;
- 4. Provision of 470 square metres of tenant amenity accommodation including shared workspaces, shared dining and lounge facilities;
- 5. Provision of 174 square metres creche facility including an external secure play area;

- Provision of 85 number car parking spaces and provision of realigned road between Gort na Bró and Gateway Retail Park Road;
- 7. Change of use of underground void to 181 number bay underground car park;
- Provision of shared communal and private open space, car parking, bicycle parking, bin storage, public lighting, site landscaping, services, signage, substation and all associated site development works.

Decision

Refuse permission for the above proposed development based on 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. Having regard to the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, issued by the Department of Housing, Planning and Local Government in March 2018, and having regard to a stated objective of Specific Planning Policy Requirement 4 of these guidelines that "there shall generally be a minimum of 50% dual aspect apartments in a single scheme", it is considered that the ratio of dual aspect apartments proposed is substantially below this minimum requirement, and that the proposed development would therefore fail to provide an acceptable standard of amenity for its future occupants. 2. Having regard to the Childcare Facilities - Guidelines for Planning Authorities 2001 it is considered that the proposed childcare facility provision is deficient in the provision of childcare places and is not in accordance with the guidelines for such facilities. The proposed development would, therefore, be contrary to these Ministerial Guidelines and to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that, the provision of dual aspect apartments proposed would be unacceptable and would fall significantly below the minimum requirement, and that the changes which would be required to comply with these minimum standards, together with the requirement to increase the number of childcare places provided, would be significant and could not be dealt with by condition.

> Michelle Fagan Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2020