



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 14th day of January 2020 by Montane Developments (Ireland) Limited care of McGill Planning Limited, 45 Herbert Lane, Dublin 2.

Proposed Development:

A planning permission for a strategic housing development at a site at Coolough Road, Terryland, and which includes works at Coolough Road and Dyke Road, Galway City.

The proposed development will consist of:

- Student housing development comprising two number blocks ranging in height from one to four storeys, providing a total of 255 number single bedrooms (of which five will be accessible bedrooms) divided into 38 number clusters.
- Ancillary student facilities to include student communal laundry (circa 110.39 square metres), student gym/fitness centre (circa 133.98 square metres), reception/security area (circa 109.11 square metres), student common/seminar area (circa 183.73 square metres).
- Provision of eight number car parking spaces, 280 number bicycle parking spaces, three number motorcycle parking spaces, and coach drop off (with bus shelter).

- Bin stores, plant areas, switch room, Electricity Supply Board sub-station, gas skid. Access to be provided from Coolough Road.
- Provision of pedestrian crossing infrastructure at Dyke Road and Coolough Road.
- All associated site development works, including landscaped areas, boundary treatments, drainage works, lighting, site services and infrastructure.

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

In coming to its decision, the Board had regard to the following:

- (a) the location of the site in relation to the National University of Ireland Galway and the available facilities for movement between them by sustainable modes of travel,
- (b) the National Planning Framework and the National Student Accommodation Strategy issued by the Minister for Education and Science in July 2017,
- (c) the Guidelines for Planning Authorities on Urban Development and Building Heights issued by the Minister in December 2018,

- (d) the Regional Spatial and Economic Strategy for the Northern and Western Region adopted in 2020,
- (e) the policies and objectives of the Galway City Development Plan 2017 – 2023 including the zoning of the site and sections 2.6, 11.29 and 11.32 of that plan,
- (f) the pattern of existing development in the area.
- (g) the submissions and observations received, and
- (h) the report of the Inspector.

It is considered that, subject to compliance with the conditions set out below, the proposed development would respect the existing character of the area; would not seriously injure the residential amenities of properties in the vicinity; would provide a reasonable standard of amenity for its occupants; would not injure the cultural and natural heritage of the area; and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on Lough Corrib Special Area of Conservation (site code: 000297), Galway Bay Complex Special Area of Conservation (site code: 000268) and Inner Galway Bay Special Protection Area (site code: 004031), taking into account the nature, scale and location of the proposed development, the information submitted with the application, the Inspector's report and the submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that the development that is authorised by this permission would not be likely to have a significant effect on the above European sites or on any other European site in view of the sites' conservation objectives, either individually or in combination with any other plan or project, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment Screening

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) the nature and scale of the proposed development on an urban site served by public infrastructure,
- (b) the absence of any significant environmental sensitivities in the area, and
- (c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

the Board concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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. In default of agreement, such issues may be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) Cluster number 7 on the ground floor of Block B shall be omitted and the resulting space shall be used to provide a refuse store and sheltered bicycle storage to accommodate a minimum of 230 number bicycles. The permitted development therefore comprises 248 number bed spaces in 37 number clusters,
 - (b) The proposed refuse store on the north-eastern site boundary shall be omitted from the development and the area shall be landscaped with high density buffer planting,
 - (c) 20 number Sheffield stands for bicycle parking shall be provided at outdoor locations through the development. All the other bicycle stands proposed on the open green spaces shall be omitted,
 - (d) The public footpath and pedestrian priority shall continue across the proposed main access to the development and across the secondary access to the Coolough Road,
 - (e) No structures shall be erected, or no screen planting shall be carried out on the part of the site between the end of the proposed running track and the head of the cul-de-sac at Crestwood in the south-eastern corner of the site.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity, road safety and cultural heritage.

3. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall ensure that:
 - (a) a 20-metre buffer, delineated by suitable secure fencing, shall be established between the development and the external perimeter of the Sites and Monument Record number GA082-096 Mass Rock, prior to commencement of any development within the site,
 - (b) no grounds work for the erection of buildings, landscaping or boundary works shall take place within the 20-metre buffer zone,
 - (c) the planning authority is notified in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (d) a suitably qualified archaeologist is employed who shall monitor all site investigations and other excavation works, and
 - (e) arrangements, acceptable to the planning authority, are provided for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

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

4. The proposed development hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016, and shall not be used for any other purpose without a prior grant of planning permission for change of use.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

5. The proposed development shall be implemented as follows:
 - (a) The student accommodation and complex shall be operated and managed in accordance with the measures indicated in the Student Accommodation Management Plan submitted with the application.
 - (b) Student house units shall not be amalgamated or combined.

Reason: In the interests of the amenities of occupiers of the units and surrounding properties.

6. Prior to commencement of development a suitable name for the development (in Irish and English) reflecting local place names shall be agreed in writing with the planning authority.

Reason: In the interest of local heritage.

7. Details and samples of the materials, colours and textures of all the external finishes to the proposed development, including pavement finishes, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

8. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

9. Full details of all signs associated with the overall scheme and individual blocks shall be submitted to, and agreed in writing with, the planning authority prior to their erection on site.

Reason: In the interest of the visual amenities of the area.

10. The site shall be fully landscaped in accordance with the submitted landscape plans within the first planting season following completion of the development, except for works and planting within the area identified under condition 2 (e) and within the buffer zone required under condition 3 in the south-eastern corner of the site..

Reason: In the interest of the visual and residential amenities of the area.

11. No access to the roof areas other than for maintenance shall be permitted.

Reason: In the interest of the residential amenity of adjoining properties.

12. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

13. The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

14. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing over ground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

15. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

16. Site development and building works shall be carried out only between 0700 to 1900 hours Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

17. Prior to the commencement of development, a mobility management plan which addresses all of the uses within the development, including term-time and out-of-term use, shall be submitted to, and agreed in writing with, the planning authority.

Reason: To support sustainable travel.

18. The construction of the 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 intended construction practice for the development, including hours of working, noise management measures, construction traffic management and off-site disposal of construction/demolition waste.

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

19. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials (and for the ongoing operation of these facilities) in line with the requirement of condition 2 above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

20. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

22. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works to improve the junction of the Dyke Road and Coolough Road and the footpaths on the Dyke Road as described in the Road Safety Audit submitted with the application. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office. Alternatively, the developer may carry out these works at its own expense in accordance with the specifications of the planning authority and those set out in the Design Manual for Urban Roads and Streets which shall, inter alia, reduce the corner radii at the junction of the Dyke Road and Coolough Road to no more than six metres.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development

