

Planning and Development Acts 2000 to 2021

Planning Authority: Galway City Council

Planning Register Reference Number: 21/148

APPEAL by Kingston Environmental care of Peadar A. O'Maolain of 23 The Orchard, Kingston, Galway and by 1 Kingston Land Limited care of Armstrong Planning Limited of 12 Clarinda Park North, Dún Laoghaire, County Dublin against the decision made on the 2nd day of July, 2021 by Galway City Council to refuse permission to 1 Kingston Land Limited.

Proposed Development: Permission for development which will consist of Phase 1 of two-phased masterplan for a new urban village 'Kingston Cross' on lands zoned 'CI' on the south side of the Western Distributor Road at Knocknacarra District Centre. Phase 1 the subject of this application is for a mixed-use development comprising a licensed supermarket with undercroft parking (258 parking spaces); a retail warehouse unit with a surface area car park (137 parking spaces); nine number flexible shop/retail service units; two number flexible medical/community units; a café/restaurant unit, together with ancillary office use, entrance lobbies, lifts, travellers, trolley bays, a substation, a new pedestrian/cycle route, boundary treatments, landscaping, a central civic space including play and exercise areas and together with a covered sports court; a new access road off the Western Distributor Road, service access and signage as well as ancillary development and all associated site development works, all at Kingston, Knocknacarra, Galway City, 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. Having regard to the Galway City Development Plan, 2017 - 2023 which designates the site location as a Level 3 District Centre within the Galway City and County Retail Hierarchy within the western suburbs and in an area subject to the zoning objective 'C1' and, in particular to the specific criteria set out in section 11.2.6 thereof, including high quality urban design in accordance with an urban village concept, it is considered that the proposed development is deficient by way of the nature and range of the proposed retail and mix of uses for such a designated district centre and would be inconsistent with the policy set out in section 11, and to the nature and form of commercial and retail use sought. The proposed development would, therefore, be contrary to the Galway City Development Plan, 2017- 2023 and to the proper planning and sustainable development of the area.

2. It is considered that the proposed development is deficient and substandard in quality, layout, form, and public amenity of the open space provision in that it is not demonstrated that the size and function of civic open space/parklands reflects the scale of the overall development as provided for in section 11.2.6. The proposed civic plaza is seriously insufficient in size and is dominated by the adjoining buildings, the retail uses some of which overspill into it and services such as cycle parking resulting in cluttering and poor-quality circulatory space, the lack of potential passive outdoor recreational amenity and the connectivity and integration into and with open space in adjoining lands to the south and linkage with surrounding development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

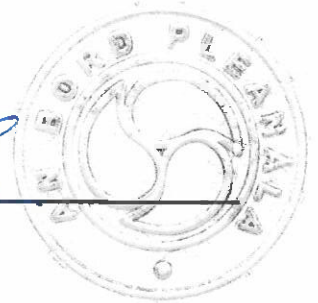
3. The Board is not satisfied that the proposed development would not endanger public safety by reason of traffic hazard, would not result in an adverse impact on the relevant objectives of the Galway Transport Strategy, particularly with regard to cycle infrastructure and quality bus movement and would, therefore, militate against the efficient use of the Western Distributor Road for these functions in which the Western Distributor Road is integral in the western suburbs by reason of traffic generated by the proposed development at the proposed junction directly off the Western Distributor Road resulting in obstruction of free-flow and safety of public transport, cyclist and pedestrian flow and circulation for which facilities and prioritisation is to be provided. The proposed development would, therefore, be contrary to the Galway Transport Strategy and to the proper planning and sustainable development of the area.



Stephen Bohan

Member of An Bord Pleanála

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



Dated this *27th* day of *April* 2022.