

Planning and Development Acts 2000 to 2021

Planning Authority: Galway County Council

Planning Register Reference Number: 21/1958

APPEAL by Jardonelle Limited care of Cyril J. Kelly and Associates of Unit 29 Kilkerrin Park, Liosbán, Tuam Road, Galway against the decision made on the 14th day of December, 2021 by Galway County Council to refuse permission to Jardonelle Limited.

Proposed Development For the construction of a residential development consisting of 50 residential units. The units will comprise of 44 number four-bed semi-detached houses, six number four-bed detached houses along with all associated site works and connection to existing services. This application includes a Natura Impact Statement (NIS), all at Baunoge, Loughrea, County Galway.

Decision

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

Reasons and Considerations

1. On the basis of the information submitted with the planning application and the Natura Impact Statement, particularly in relation to the inadequate assessment of potential significant effects arising during the operational phase of the development, the Board cannot be satisfied that the proposed development, either individually or in combination with other plans or projects, would not adversely affect the integrity of the Lough Rea Special Area of Conservation (Site Code: 000304) and the Lough Rea Special Protection Area (Site Code: 004134), or any other European site, in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission.

2. The "Urban Design Manual – a best practice guide" issued by the Department of the Environment, Heritage and Local Government (2009), to accompany the "Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities", issued by the Department of the Environment, Heritage and Local Government in May 2009 includes key criteria such as context, connections, inclusivity, variety and distinctiveness, which criteria are embedded in the Guidelines. It is considered that the development, as proposed, would result in a poor quality of residential design that would be substandard in its scale and layout and would fail to provide high quality usable open spaces and the proposed layout would fail to adequately address the site topography resulting in a visually prominent development. Furthermore, the Board was not satisfied that the proposed development which comprised all units of four-bedrooms provided an appropriate mix in unit typology in accordance with the provisions of the Guidelines. The proposed development would be contrary to the Ministerial Guidelines and would, therefore, be contrary to the proper planning and sustainable development of the area.

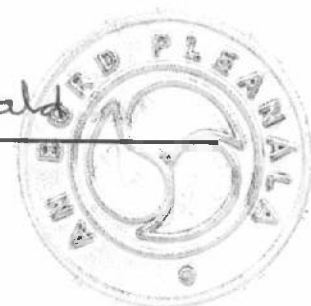
3. It is considered that the road-based design and layout of the proposed development, would be in material conflict with the principle and design concepts, as set out in the "Design Manual for Urban Roads and Streets" (DMURS), issued by the Department of Transport, Tourism and Sport and the Department of the Environment Community and Local Government in March 2013. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 12th day of October 2022.