

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/28

APPEAL by Mount Fuji Limited care of Brock Finucane Architects of 28 Lower Baggot Street, Dublin against the decision made on the 11th day of March, 2022 by Galway County Council to refuse permission.

Proposed Development: The development will consist of an older persons housing with supports scheme comprising 62 dwellings, a communal space of 291 square metres, a publicly accessible tea-room of 45 square metres and plant rooms arranged in six buildings ranging from one, two and three-storeys. The overall development will consist of 5,698.3 square metres (gross internal area). Dwellings breakdown: 52 apartments (24 number one bedroom dwellings 54.7 - 57.8 square metres and 27 number 1.5 bedroom dwellings (one double and one single room) 68.4 - 85.5 square metres and one number two bedroom dwelling 95.0 square metres) and 10 Houses (four number two bedroom dwellings over two-storeys, two number three bedroom dwellings over three-storeys and four number four bedroom dwellings over three-storeys). The development includes external balconies to each apartment and external deck access galleries of 676.9 square metres. Site works will include hard and soft landscaping, enhancements to Station Road (including a new footpath to a portion of Station Road abutting Irish Rail lands) new boundary treatments to all boundaries and a new accessible ramp adjacent to

the Gort River in the south-west corner of the site. The Gort River Walk pathway abutting the west edge of the site will be retained and enhanced. The development will include 34 car parking spaces and 59 bicycle spaces. The proposal includes the demolition of an existing ruined dwelling known as Flowervale and other out-buildings at Station Road, Gort, County Galway. (On the site of the former Gort Mill, bounded by the Gort River to the west and Gort Train Station to the east. The site is divided in two by Station Road, with a combined area of 1.17 hectares).

Decision

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

Reasons and Considerations

1. The proposed development by reason of its form, design and layout would detract from the amenity of the area and create a poor residential environment for future residents. The relationship with the riverside walk, and the lack of animation of the street were considered to create a poor interface with the public realm. The communal open space lacked amenity and the private open space associated with the houses had a poor connection with the dwellings it served. The car parking provision does not accord with the requirements of table 15.5 and the applicant has not justified a reduced provision of parking to the satisfaction of the Board. The layout of the carparking spaces is considered to detract from the development itself and would endanger public safety by reason of traffic hazard due to the turning movements generated. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



2. The application lacks clarity regarding the extent and design of works proposed to the public road. The revised foul water drainage submitted to An Bord Pleanála on the 7th day of April, 2023 proposes a materially different design, it includes works outside the boundary of the site which is not appropriate at this stage. The applicant has not demonstrated that the existing sewer infrastructure can serve the development. It is considered that the proposed development would be premature until a satisfactory foul drainage connection becomes available to serve the development.


In deciding not to accept the Inspector's recommendation to grant permission, the Board shared the view of the Local Authority regarding the quality of the scheme, both in terms of design and layout.

The Board considered that the shared open space lacked residential amenity and privacy for the units it served, that the improvements proposed to the road accessing the development were not adequately addressed or detailed in the application or the appeal, and that the parking provision and layout did not accord with development plan standards.

The application is for older person housing, the Board considered the application lacked detail on how this is to be operated and managed.

The Board considered the archaeological impact assessment report submitted at appeal stage and concluded that the assessment and recommendations did not adequately address the concerns raised by the Department of Housing, Local Government and Heritage in its submission.

The Board considered the revised proposal for the disposal of surface water and foul water drainage and concluded that the extent of works proposed were extensive and required works outside the boundary of the application site, this is a significant amendment to the proposal. Aside from the matter of the scale of this amendment, no report has been received from Uisce Éireann on this revised proposal and the environmental consequences have not been assessed.



Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 13th day of October 2023