



An  
Bord  
Pleanála

## Board Order ABP-320955-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Galway City Council

**Planning Register Reference Number:** 24/60244

**Appeal** by Bernie Ruane care of John Mooney and Company Limited of Lough Corrib House, 5 Waterside, Galway and by others against the decision made on the 9<sup>th</sup> day of September, 2024 by Galway City Council to grant subject to conditions a permission to Renaissance Property Limited care of Sean Dockry and Associates of 24 Middle Street, Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of three number existing dwellings and the construction of a four-storey apartment building containing 24 number residential units (10 number one-bed, 13 number two-bed and one number three-bed) and all associated site and external works, including a revised site entrance, ancillary sheltered bin and bike stores and drainage connections, all at 47, 49 and 51 Dublin Road, Galway.

### 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.

## Reasons and Considerations

Having regard to the location of the existing underutilised brownfield site within the 'existing built up area' of Renmore on zoned and serviced lands, the provisions of the Galway City Development Plan 2023-2029, specifically Policy 3.5 regarding suburban neighbourhoods-established suburbs, the established pattern of residential development in the area, the nature and scale of the proposed development, and the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024), specifically Table 3.2 (Areas and Density Ranges-Limerick, Galway and Waterford City Suburbs), it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Core Strategies of the development plan, would be appropriate in terms of density, would not result in the creation of a traffic hazard, and would not seriously injure the amenities of neighbouring properties in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 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.

**Reason:** In the interest of clarity.

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

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

3. 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.

4. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

**Reason:** In the interest of public health.

5. (a) The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, kerbs and car parking bay sizes, and the materials used in any roads/footpaths provided by the developer, shall comply with the detailed standards of the planning authority for such road works.

- (b) Prior to the opening/occupation of the proposed development, a Mobility Management Plan (MMP) shall be submitted to, and agreed in writing with, the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by residents/occupants and staff employed in the proposed development. The mobility strategy shall be prepared and implemented by the management company for all units within the proposed development.

**Reason:** In the interest of pedestrian, cyclist, and traffic safety.

6. (a) Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Perimeter screens to a height of 1.8 metres and comprising obscured glazing shall be erected along the perimeter of all above ground floor balcony areas associated with each residential unit.

**Reason:** In the interest of visual and residential amenity.

7. Proposals for an estate name, apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate signs and apartment numbers shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

8. 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 interest of visual and residential amenity.

9. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing –

- (i) Existing trees, hedgerows, shrubs and stone walls, specifying which are proposed for retention as features of the site landscaping.
- (ii) The measures to be put in place for the protection of these landscape features during the construction period.
- (iii) The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder, and shall not include prunus species.
- (iv) Details of screen planting (which shall not include cupressocyparis x leylandii).
- (v) Details of roadside/street planting (which shall not include prunus species).

- (vi) Hard landscaping works, specifying surfacing materials, furniture, play equipment and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, or until the development is taken in charge by the planning authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

10. All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of sustainable transportation.

11. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

12. The construction of the proposed 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 proposed development, including:
- (a) The location of the site and materials compound(s), including area(s) identified for the storage of construction refuse.
  - (b) The location of areas for the construction site offices and staff facilities.
  - (c) Details of site security fencing and hoardings.
  - (d) Details of on-site car parking facilities for site workers during the course of construction.
  - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.
  - (f) Measures to obviate the queuing of construction traffic on the adjoining road network.
  - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.

- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works.
- (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
- (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.
- (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.
- (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety and environmental protection.

13. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority full details of the proposed public lighting along the Dublin Road and throughout the residential scheme, including the lighting levels within open space areas of the proposed development.

**Reason:** In the interest of public safety and residential amenity.



14. (a) 51 number safe and secure bicycle parking spaces shall be provided within the site, as per 11.3.1 (h) Cycle Parking Standards of the Galway City Development Plan 2023-2029. Provision shall be made for a mix of bicycle types, including cargo bicycles and individual lockers. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Electric charging points shall be provided at an accessible location for charging cycles/scooters/mobility scooters. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

15. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and 3 (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

16. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To provide for the satisfactory future maintenance of the development in the interest of residential amenity.

17. 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 planning authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning 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.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme 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 to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



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Declan Moore

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

Dated this 22<sup>nd</sup> day of MAY 2025.