

An
Bord
Pleanála

Board Order
ABP-321129-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 2461011

Appeal by Joe-Ann and Cian Burke of 22 Redington Woods, Clarinbridge, County Galway and by Others against the decision made on the 1st day of October 2024 by Galway County Council to grant, subject to conditions, a permission to Barry and Orla Waters care of Ignatius T. Greaney and Associates of Clarig, Kilcolgan, County Galway in accordance with the plans and particulars submitted to the said Council:

Proposed Development: Construction of dwellinghouse, together with all associated services on an infill site at Redington Wood Estate, Clarinbridge, County 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 existing pattern of development in the area, the location and setting of the site within the designated rural settlement of Clarinbridge, as set out in the Galway County Development Plan 2022-2028, and to the policies and objectives and development standards of the development plan, in particular Policy Objectives CS 2 and CGR 1 (Compact Growth), LCM 1 (Preservation of Landscape Character) and DM Standard 8 (Site Selection and Design), it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not adversely impact the landscape character of the area, is appropriate in terms of design, scale and layout and consistent with the established built character of the vicinity, and would be acceptable in terms of traffic safety. 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 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 of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The mitigation measures contained in the Bat Survey and Report received by the planning authority as part of the application shall be implemented in full.

Reason: In the interest of biodiversity and protecting bats.

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 site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The landscaping plan shall include hedgerow(s) comprising fruit bearing species, such as hawthorn, dog rose, and alder trees.

(b) 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 three years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

- (c) A tree survey of the site shall be carried out by an arborist or landscape architect and submitted to, and agreed in writing with, the planning authority prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.
- (d) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

Reason: In the interest of residential and visual amenity, protection of biodiversity, and to facilitate the identification and subsequent protection of trees to be retained on the site.

- 6. (a) The development shall connect to the communal wastewater treatment plant as per the details submitted as part of the original application to the planning authority. The developer shall ensure that the communal effluent treatment and disposal system is maintained in accordance with current Environmental Protection Agency's (EPA) best practice standards. Arrangements in relation to the ongoing maintenance of the system shall be submitted to and agreed in writing with the planning authority prior to commencement of development.
- (b) Within three months of the occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that connection to the communal proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is

working in a satisfactory manner in accordance with best practice EPA standards.

Reason: In the interest of public health.

7. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit final details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health and surface water management.

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. Details of the ducting shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Any existing overground cables shall be relocated underground as part of the site development works.

Reason: In the interest of visual and residential amenity.

9. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays 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.

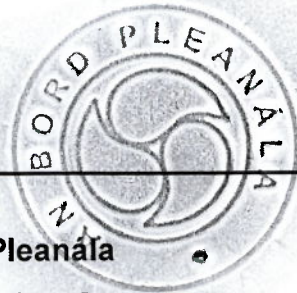
Reason: In order to safeguard the residential amenities of property in the vicinity.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 the 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 developers 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.


Declan Moore

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



Dated this 6th day of MARCH 2025.