

An  
Coimisiún  
Pleanála

**Commission Order**  
**ABP-322383-25**

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**Planning and Development Act 2000, as amended.**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 25/7**

**Appeal** by John Burke of Chestnut Lane, Dangan, Galway against the decision made on the 1<sup>st</sup> day of April, 2025 by Galway City Council to refuse permission.

**Proposed Development:** Demolition of single storey extension and construction of single storey dwelling at 58 John Coogan Park, Newcastle, Galway.

## **Decision**

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the residential zoning objective relating to the site and other policies and objectives of the Galway City Development Plan 2023-2029, including Policy 3.5 (Sustainable Neighbourhoods: Established Suburbs), would constitute an appropriate form of infill residential development, would not seriously injure the residential or visual amenities of property in the vicinity, would provide acceptable levels of residential amenity for future occupants, would be acceptable in terms of traffic safety and convenience, and would be capable of being adequately served by water supply, wastewater, and surface water networks. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission did not accept that the proposed dwelling would materially breach the established building line and would replicate the established building line to the south. Any breach of the building line to the north would not materially impact on the amenity of residents in the vicinity. Furthermore, the Commission considered that the proposed development would be in accordance with the zoning objective relating to the site and would comply with Policy 3.5 of the Galway City Development Plan 2023-2029 by facilitating the consolidation of existing residential development and densification, where appropriate, while ensuring a balance between the reasonable protection of the residential amenities and the character of the established suburbs and the need to provide for sustainable residential development and deliver population targets, and by encouraging additional community and local services and residential infill development in the established suburbs at appropriate locations.

## 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. The developer shall submit revised drawings for the written agreement of the planning authority showing the reduction of the number of bedrooms in the residential unit to three and the dwelling shall include at least one number double bedroom in accordance with the minimum standards set out in the Quality Housing for Sustainable Communities issued by the Department of the Environment, Heritage and Local Government in 2007.

**Reason:** In the interest of the amenity of the future occupants.

3. Details of the materials, colours, and textures of all the external finishes to the proposed development and boundary treatments shall be as submitted with the planning application, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of visual amenity and orderly development.

4. Prior to commencement of development, the developer shall submit an acceptable naming and/or numbering scheme for the written agreement of the planning authority.

**Reason:** In the interest of orderly development.

5. 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 and surface water management.

6. (a) The developer shall enter into connection agreement(s) with Uisce Éireann prior to commencement of development to provide for service connection(s) to the public water supply and/or wastewater collection network and shall adhere to the standards and conditions set out in that agreement.

- (b) All development shall be carried out in compliance with the codes and practices of Uisce Éireann.

**Reason:** To provide adequate water and wastewater facilities in the interest of public health.

7. 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 and hedgerows 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 which shall not include prunus species,
  - (iv) details of screen planting, and
  - (v) details of roadside/street planting, which shall not include prunus species.
- (b) 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, 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.

8. (a) The main entrance to the proposed development shall be provided in accordance with the standards specified in the Design Manual for Urban Roads and Streets (DMURS) and the construction standards of the planning authority for such works.
- (b) The site frontage along John Coogan Park shall be set back and/or a footpath with dishd kerbing shall be provided in accordance with the construction standards of the planning authority for such works.
- (c) All works shall be undertaken at the developer's expense and completed to the satisfaction of the planning authority.

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

9. 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.



10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 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.

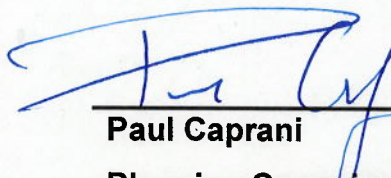
**Reason:** In order to safeguard the residential amenities of property in the vicinity.

11. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including noise, dust, debris management measures, traffic management measures and off-site disposal of construction and demolition waste.

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

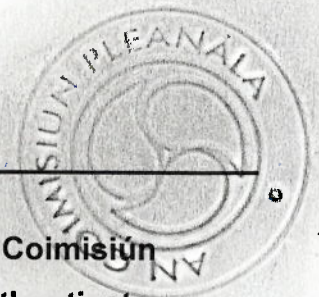
12. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 Coimisiún 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.



**Paul Caprani**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 5<sup>th</sup> day of September 2025.