

An  
Coimisiún  
Pleanála

**Commission Order  
ACP-323584-25**

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

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 25/60458**

**Appeal** by James McLoughlin of Kilcahill, Claregalway, County Galway against the decision made on the 12<sup>th</sup> day of August, 2025 by Galway County Council to grant subject to conditions a permission to Orchard Community Care Limited care of Deirdre Byrne of Marlinstown Office Park, Marlinstown, Mullingar, County Westmeath in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of one single storey two-bedroom, self-contained apartment, along with all associated site works, including a driveway, footpath, drainage system and landscaping, for use in conjunction with the existing residential dwelling on-site, all at Kilcahill, Red Oaks, Currandrum, Claregalway, 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 location of the existing residential site, the provisions of the Galway County Development Plan 2022-2028, including Policy Objectives SCI 1, SC1 and H1, the established pattern of residential development in the area, and the residential nature and minor scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with local policy, would be appropriate in terms of design and layout, would not seriously injure the amenities of neighbouring properties in the area, and 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, as amended by the further plans and particulars received by the planning authority on the 17<sup>th</sup> day of July, 2025, 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 development hereby permitted shall only be occupied by persons with intellectual disabilities and their carers in association with the main dwelling on the site, as set out in the planning application documents, and for no other purpose, without a prior grant of planning permission for change of use. It shall not be sold, let or otherwise transferred or conveyed as an independent living unit and the existing garden and curtilage of the overall residential property on this site shall not be subdivided.

**Reason:** In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

3. This permission shall be for a period of five years from the date of this Order at which point the structure shall be removed from the site unless, prior to the end of the period, planning permission shall have been granted for its continued operation for a further period.

**Reason:** In the interest of clarify and in the interest of the orderly planning and sustainable development of the area.

4. Details of the materials, colours and textures of all the external finishes to 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 and to ensure an appropriate standard of development.

5. The existing garage on site shall be utilised solely for domestic storage purposes and not for any habitation use. Prior to occupation of the new unit, documentary evidence shall be submitted for the written approval of the planning authority demonstrating that the garage has been disconnected from the wastewater system on the site.

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

6. (a) The in-situ wastewater infrastructure shall be serviced by certified environmental specialists on a biennial basis to ensure the system functions properly and prevents pollution.
- (b) Maintenance records shall be kept for possible further inspection purposes.

- (c) Details of any proposed relocation of the percolation area to service the wastewater infrastructure shall be agreed in writing with the planning authority within six months of the date of this Order.

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

7. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

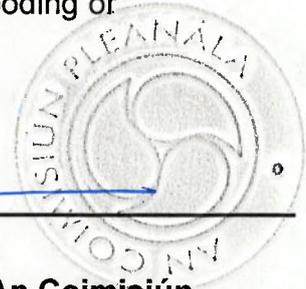
**Reason:** In the interest of traffic safety and to prevent flooding or pollution.



**Paul Caprani**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 19<sup>th</sup> day of December 2025.