



Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 25/61163

APPEAL by Mary Barrett against the decision made on the 13th day of October 2025 by Galway County Council to grant, subject to conditions, a permission to Leadlane (Loughrea) Limited in accordance with the plans and particulars lodged with the said Council.

Proposed Development: For the construction of a residential development consisting of 55 number houses together with ancillary works and services. The development will consist of the construction of: two number three bedroomed semi-detached two-storey houses (Type A), 10 number three bedroomed semi-detached two-storey houses (Type B), eight number three bedroomed semi-detached two-storey houses (Type C), 12 number two bedroomed semi-detached two-storey houses (Type D), 16 number two bedroomed terraced two-storey houses (Type E), three number two bedroomed terraced two-storey houses (Type F), four number three bedroomed terraced two-storey houses (Type G). The proposed development will also include for; provision of public open space areas (including a playground), private open space areas, bicycle parking, footpaths, public lighting, landscaping and revised boundary treatments; provision of carparking including ducting to all spaces for future EV charging points; connection to mains water infrastructure and public sewer, and on site surface water

attenuation to serve the development; provision for vehicular and pedestrian access via L-4196 County Road (Caheronaun Park Road) via the "Triantán an Aoill" estate to the west, with additional vehicular and pedestrian connectivity to the adjoining "Danesfort Court" estate to the south; retention of temporary on site construction compound with associated internal roadway, areas for storage of materials, all in the townlands of Caheronaun and Caherwalter, Loughrea, 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 site within the town boundary and adjacent to the built-up environment of Loughrea, the provisions of the Galway County Development Plan 2022 - 2028 and the Loughrea Local Area Plan 2024 - 2030, the access via a permitted residential scheme to the Caheronaun Park Road, the design, function and location of the proposed linkages with adjacent lands and the improved permeability arising, the Residential (Phase 1) zoning of the lands and policy encouraging appropriate compact development, the height, scale, layout and form of the development, and to the proximity of childcare facilities on adjoining lands and locations nearby, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not give rise to adverse impacts on the environment 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 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. (a) The development shall comply with the recommendations, summary and conclusions set out in the Traffic and Transport Assessment and the Road Safety Audit received by the planning authority on the 21st day of August 2025.
- (b) Prior to commencement of the development, the applicant shall commission a road safety audit (stage 2), that will review the detailed design drawings and measures recommended by the earlier audit (stage 1) and accepted by the designer. Recommendations arising from the stage 2 audit, or alternative measures proposed therein by the developer and accepted by the auditor, shall be incorporated into the final design of the development at the expense of the developer. The audit shall be completed by an independent road safety auditor, at the developer's expense, and shall be submitted for the written approval of the planning authority.

- (c) On completion of the development, a stage 3 road safety audit shall be completed by an independent road safety auditor, at the developer's expense, and submitted for the written approval of the planning authority. Any safety issues highlighted in the audit shall be reviewed and addressed by the developer at their expense and shall be submitted for the written approval of the planning authority.
- (d) Any overhead lines and poles shall be set back in line with the new proposed roadside boundary treatments at the developer's expense before work commences on the development. No pole(s) shall be left in the sightline visibility triangles and/or left isolated from the proposed development boundary treatments or left to obstruct the view of the road of existing road users and/or persons accessing/exiting the site.
- (e) Sight distance triangles shall be maintained and kept free from boundary walling, vegetation, or other obstructions that would reduce the minimum visibility required in accordance with the plans and particulars submitted to the planning authority on the 21st day of August 2025.

Reason: In the interest of traffic safety.

- 3. All roads and footpaths shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. These areas shall be shown in a drawing which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of permeability and proper planning and sustainable development.

4. The internal road and vehicular circulation network serving the development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed construction standards of the planning authority for such works and the design standards outlined in the Design Manual for Urban Roads and Streets.

Reason: In the interests of pedestrian and traffic safety.

5. (a) The quantity of car parking spaces within the scheme shall be limited to a maximum total of 82 spaces. The four car parking spaces directly adjacent to the central open space area shall be omitted and a further 24 spaces shall be omitted from the scheme. Prior to commencement of development the applicant shall submit proposals to comply with these requirements for the agreement of the planning authority.
- (b) Twenty per cent of the parking spaces serving the residential units shall be provided with functional electric vehicle charging points, and all of the remaining in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses 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.

6. The landscaping scheme shown on Drawing Number LC-CIV-12 (Landscaping Layout), as submitted to the planning authority on the 21st day of August 2025, shall be revised to omit the four car parking spaces in the central open space and shall be carried out within the first planting season following substantial completion of external construction works. In addition to the proposals in the submitted scheme, the applicant shall submit a proposal providing for additional native species tree and other planting with an additional minimum of ten number such trees required.

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 interests of residential and visual amenity.

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

Reason: In the interests of visual and residential amenity.

8. Proposals for an estate/street name, house 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 and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. 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.

9. Drainage arrangements, including for the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority for written agreement, final detailed designs for the Sustainable Urban Drainage System to be installed.

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

10. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the final agreed landscape plan. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

11. (a) All areas not intended to be taken in charge by the local authority shall be maintained by a legally constituted management company.
- (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.
- (c) The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking in Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction and to provide for the satisfactory future maintenance of this development in the interest of residential amenity.

12. Prior to the commencement of development, the developer shall enter into Connection Agreements(s) with Uisce Éireann to provide for service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

13. 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 overground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

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

15. Prior to commencement of works, 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 development, including construction traffic management, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

16. 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 transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún 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.

17. (a) Prior to the commencement of the development, as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers, that is, those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

18. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. 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 Coimisiún Pleanála for determination.

Reason: In the interests of traffic safety and the proper planning and sustainable development of the area.

19. 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.

Mary Gurrie

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Planning Commissioner of An Coimisiún

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

Dated this *12* day of *August* 2026.