

An
Coimisiún
Pleanála

**Commission Order
PL-500390-GY-25**

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

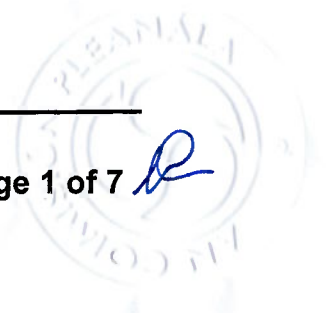
Planning Register Reference Number: 25/61326

Appeal by Ian Burke against the decision made on the 7th day of November, 2025 by Galway County Council to refuse permission.

Proposed Development: Construction of new dwelling along with garage, treatment septic tank system and associated site works, permission is also sought for a shared vehicle access off the N83 and all associated site works and boundary works to form part of shared entrance, all at Carraghy, 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 and character of the site within the village of Knockdoe, together with the provisions of the Galway County Development Plan 2022-2028, including policy objectives RH2, RH9 and DM Standards 26 and 28, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the proposed development would be acceptable, would not seriously injure residential or visual amenity of the area and would not constitute a traffic hazard. Having considered the totality of information on file, including the updated Site Characterisation Report and Road Safety Audit Report, the Commission was satisfied the proposed development would be in accordance with the proper planning and sustainable development of the area.

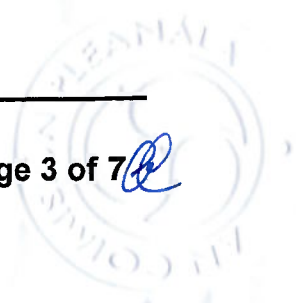
In not accepting the Inspectors recommendation to refuse permission for the proposed development, the Commission was satisfied that the proposed development of a single dwelling, with a limited intensification of use of an entrance with the benefit of an existing planning permission in a 60kph transitional zone, would not generate a significant traffic hazard and considered that the distinct nature of the proposed development would not generate a precedent for similar proposals and would not lead to a proliferation of entrances on to the national road.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as revised by further plans and particulars submitted to An Coimisiún Pleanála on the 8th day of June 2026, 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 proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter, unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.



- (b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation. This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

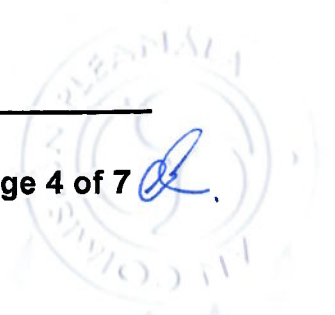
Reason: To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.

3. Details of the materials, colours and textures of all the external finishes to the proposed structures and boundary wall shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All stone shall be natural and local with no re-constituted stone permitted.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The recommendations outlined in the Road Safety Audit report (June 2026) shall be implemented in full, with the agreement of the planning authority.

Reason: In the interest of traffic safety.



5. The site shall be landscaped in accordance with a comprehensive boundary treatment and landscaping plan to be submitted and agreed with the planning authority prior to the commencement of the development. Any plants, trees or hedging 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 order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

6. (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.

7. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with this application on the 8th day of June 2026 and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" – Environmental Protection Agency, 2021.

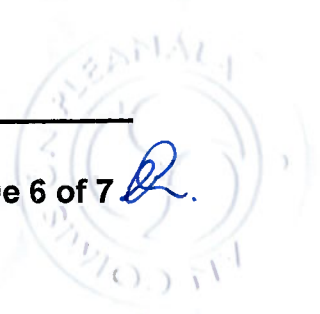
- (b) Treated effluent from the septic tank/wastewater treatment system shall be discharged to a percolation area/polishing filter which shall be provided in accordance with the standards set out in the document entitled "Code of Practice- Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)" Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the septic tank/wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

Reason: In the interest of public health and to prevent water pollution.

- 8. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply network.

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

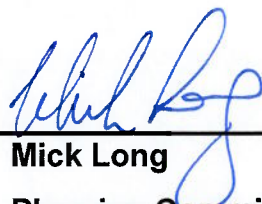
- 9. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Friday inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.



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

10. 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.

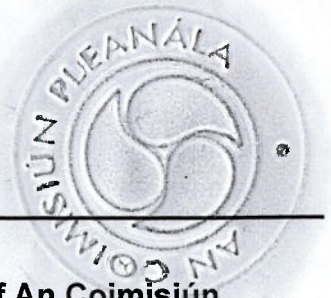
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

Planning Commissioner of An Coimisiún

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



Dated this 15th day of September 2026