



Planning and Development Acts 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2560143

Appeal by Limekin Construction Limited against the decision made on the 17th day of December 2025 by Galway County Council to refuse permission for the proposed development.

Proposed Development: The development will consist of a mixed-use development of apartments, duplex units and three professional services units on a site of 4057 square metres / 0.40 hectares. The site is generally brownfield with two number derelict residential dwellings, and ancillary sheds, and one number derelict car garage. The proposed development will provide as follows;

(a) Demolition of two existing derelict two storey residential dwellings and one car garage that front on to the Clifden Road with a total area of 760.4 square metres; (b) Construction of three number three/five storey blocks denoted A, B and C. The blocks contain 25 number residential units made up of nine number apartment units, 16 number duplex units and three number Retail / Professional units, with maximum height of 10.4 and 16.35 metres. The total floor area of apartment and duplex development is 2345.5 square metres, and the total floor area of commercial development is 214.9 square metres.

- Block A is made up as follows: 16 number residential dwellings, including four number two bedroom duplexes on Level '-2 and -1', six number two bedroom apartments units on the Level '0', six number three bed duplexes on

Level '+1 & +2'. The total floor area of apartment and duplex development is 1453.1 square metres.

- Block B is made up as follows: Level '-1' of block B is bicycle storage , three number commercial units on Level '0', three number residential dwellings, including three number three bedroom Duplex units on Level '+1 & +2'. The total floor area of residential development is 338.2 square metres and commercial development is 214.9 square metres.

- Block C is made up as follows: three number two bed apartment units on Level '0' and three number three bedroom duplex units on Level '+1 & +2'. The total floor area of the residential development is 554.2 square metres.

(c) Access to be provided from a revised vehicular site entrance from The Clifden Road. New Footpath and Cycleways to be provided at the entrance to the site. (d) 25 number Car parking spaces, 101 number bicycle parking spaces organised as 62 number secure bicycle parking spaces and 39 number visitor bicycle parking spaces. All ancillary site development works to include; landscaped open spaces and communal open space approximately 1764 square metres or 44% of the overall site area. Private open space is 422.7 square metres, internal roads and footpaths, foul and surface water drainage, site lighting, boundary treatments, and refuse storage located Level '-2 & -1' a total of 48.2 square metres, all at Cill Ráine, Moycullen, County Galway. The proposed development was revised by further public notices received by the planning authority on the 21st day of November 2025, reducing the number of dwelling units to 20 in total (6 apartments and 14 duplex units)

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 nature, scale and height of the proposed development, and also having regard to the existing underutilised, vacant nature of this brownfield, serviced site, it is considered that, subject to compliance with the conditions below, the proposed development would not adversely impact the visual or residential amenities of the area, would be acceptable in terms of traffic safety and convenience, and car parking provision. The proposed development complies with the town centre land-use zoning objective for the area as indicated in the Galway County Development Plan 2022-2028. The urban regeneration, densification and consolidation arising from the proposed development is supported by a number of other policy objectives of the development plan, including Policy Objective CS 2, Policy Objective CGR 8, Policy Objective SGT 2 and Policy Objective PM 2. The proposed development would, therefore, be consistent with the proper planning and sustainable development of the area.

In deciding not to refuse permission as recommended by the Inspector in recommended refusal reason no. 1, the Commission did not agree that the scale and density represented a material contravention of the Core Strategy, Policy Objective CS 1, Table 2.11 and Policy Objective DM Standard 2 of the Galway County Development Plan 2022-2028. The Commission did not consider that the proposal represented an overdevelopment of the application site. The Commission noted that the section 2.3.13 'Core Strategy Map & Core Strategy Table' refers to the Core Strategy Table (i.e. Table 2.11) as setting out population targets, the Commission was satisfied that the increase in residential units on the application site above that existing, would not undermine the targets as set out in Table 2.11 for Moycullen. The Commission also noted that Policy Objective CS 1 seeks to implement the population targets in the Core Strategy in so far as practicable. In this instance the Commission considered that the development strategy appropriately responded to the topographical challenges of the site by providing residential units at -1 and -2 levels thus creating the need for an increase in density, and

considered that it would not be practicable, or sustainable, to restrict the density on this brownfield, zoned, serviced site solely on the basis of the target numbers in Table 2.11; the Commission considered that such flexibility is allowed for in Policy Objective CS 1 and therefore the proposal did not materially contravene the Core Strategy. In this regard, the Commission noted NPO 11 of the National Planning Framework First Revision that states, inter alia, "...consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the (settlement) targets including, in particular, the receiving capacity of the environment." Furthermore, Policy Objective CS1 seeks to direct growth towards designated settlements, with Moycullen identified as one such designated settlement and the site is an existing mixed-use developed site. The consolidation, reuse, regeneration and densification of the application site as proposed is supported at national, regional and local planning policy levels, including at Policy Objective CS 2, Policy Objective CGR 8, Policy Objective SGT 2 and Policy Objective PM 2 of the Galway County Development Plan 2022-2028. It is noted that Table 15.1 'Residential Density' indicates a density of 11 d.u./ha. (density of units per hectare) or site specific for a site such as the application site. The Commission considered that, given the existing underutilised nature of this brownfield site, its town centre location, the topographical challenges on the site and the planning gains arising from its sustainable redevelopment, the density generated is site specific in this instance and thus accords with Table 15.1 and thus does not materially contravene DM Standard 2 of the development plan. In addition, the Commission had regard to the land-use zoning objective for the site as indicated in the development plan which is C1 'Town Centre/Commercial', the description of which is to develop and consolidate the existing town centre to improve its vibrancy and vitality with the densification of appropriate commercial and residential development. The Commission is satisfied that the proposal is consistent with, supported by, and delivers upon, this statutory land-use zoning objective. The Commission did not agree with the Inspector that the proposed development would be contrary to the Compact Settlement

Guidelines. The Commission considered that the site was a natural and sequential extension of Moycullen town centre and this is reflected in the statutory land-use zoning objective, and the Commission agreed with the applicant that the site came with the 'small/medium town centre' site classification of Table 3.6 of the Compact Settlement Guidelines, and did not considered it an edge of town site. The Commission was satisfied that the proposed development responds positively to the scale, form and character of existing development in Moycullen and there is available capacity in services and infrastructure to accommodate the redevelopment of the site. The proposal is, therefore, in accordance with the Compact Settlement Guidelines for such sites. Having regard to the foregoing, the Commission is satisfied that a material contravention of the plan does not arise with regards to density, scale or Core Strategy.

In deciding not to refuse permission in accordance with the Inspector's recommended refusal reason number 2 in relation to car parking provision, the Commission noted that the car parking standards in the Galway County Development Plan 2022-2028 are maximum standards, not minimum. As the applicant is not exceeding the maximum standard, no contravention of the development plan arises in this regard. Likewise, SPPR 3 of the Compact Settlement Guidelines refer to maximum car parking standards and therefore the proposed development does not conflict with SPPR 3. Given the site location, the mixed-use nature of the proposal, which allows for dual usage, and the increase in car parking provision as indicated in the plans and particulars submitted to the planning authority on the 21st day of November 2025, the Commission is satisfied that the car parking provision is appropriate in this instance.

Conditions

1. The 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 21st day of November 2025 and as received by An Coimisiún Pleanála on the 21st day of January 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. For the avoidance of doubt, this grant of planning permission permits 20 number residential units, 4 number retail/commercial units and 25 number car parking spaces.

Reason: In the interest of clarity.

3. The road traffic calming measures, road markings and the pedestrian crossing proposed on the Clifden Road (L1309) shall be completed and commissioned to the written satisfaction of the planning authority prior to the occupation of any residential or retail/commercial unit.

Reason: In the interest of traffic and pedestrian safety.

4. The layout of the vehicular entrance off the Clifden Road (L1309), the layout of the road frontage along the Clifden Road, including pedestrian and cycle facilities, the on-site car and bicycle parking facilities (including turning bays, junctions, parking areas, footpaths, and kerbs) shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety.

5. The external finishes of the proposed structures shall be as indicated in the plans and particulars submitted with the application unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenities of the area.

6. Proposals for the development name, apartment 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 apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. New external signage shall be in the Irish language. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility, to ensure the use of locally appropriate placenames for new residential areas and to protect the linguistic and cultural heritage of the Gaeltacht areas of Galway.

7. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, the planning authority, proposals to comply with Policy Objective GA 5 – ‘Language Impact Statement’, in particular, proposals to comply with the requirement therein for a Language Inurement Clause of 15 years duration in relation to the occupancy of the residential units.

Reason: To comply with Policy Objective GA5 and to protect the linguistic and cultural heritage of the Gaeltacht areas of Galway.

8. The recommendations contained in the Tier-1 Environmental Risk Assessment received by the planning authority on the 12th day of February 2025 shall be implemented in full.

Reason: In the interests of environmental protection and human health.

9. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency’s Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

10. The mitigations contained in the EIA Screening Report and Ecological Impact Assessment (EclA) Report received by the planning authority on the 12th day of February 2025 shall be implemented in full.

Reason: In the interests of environmental and ecological protection.

11. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of environmental protection, residential amenities, public health and safety.

12. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

13. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. The areas of communal open space shown on the lodged plans and particulars shall be reserved for such use and shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the residential units are made available for occupation unless otherwise agreed with the planning authority.

Reason: In order to ensure the satisfactory development of the communal open space areas, and their continued use for this purpose.

15. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

16. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

17. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and wastewater collection network.

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

18. 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 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.

19. (a) Prior to the commencement of any duplex unit in 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 duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant duplex units permitted, to first occupation by individual purchasers i.e. 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 specified duplex unit 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.

20. 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 satisfactory reinstatement of the site upon cessation of the project coupled with an agreement empowering the planning authority to apply such security or part thereof to such reinstatement. 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: To ensure satisfactory reinstatement of the site.

21. 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.



Tom Rabbette

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

Dated this *28th* day of *April* 2026.