

An  
Coimisiún  
Pleanála

Ordú ón gCoimisiún  
PL-500736-GY-26

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**An tAcht um Pleanáil agus Forbairt, 2000, arna leasú**  
**Planning and Development Act 2000, as amended**

**Údarás Pleanála: Comhairle Contae na Gaillimhe**  
**Planning Authority: Galway County Council**

**Uimhir Thagartha ar an gClár Pleanála: 25/61349**  
**Planning Register Reference Number: 25/61349**

**Achomharc** ó Fhóram Chois Fharráige um Pleanáil Teanga CTR in aghaidh an chinnidh a rinne Comhairle Contae na Gaillimhe an 15<sup>ú</sup> lá de mhí Eanáir 2026 cead a dheonú, faoi réir coinníollacha, do Castlestar Developments Limited, i gcomhréir leis na pleananna agus na sonraí a taisceadh leis an gComhairle sin.

**Forbairt Bheartaithe:** Leasú ar an bhforbairt a ceadaíodh faoi uimhir thagartha pleanála 21/1997, rud a bhfuil na nithe seo a leanas i gceist leis: (i) athrú úsáide i leith an aonaid bunurláir, ón úsáid tráchtála cheadaithe (caifé) go húsáid chónaithe, agus leasú gaolmhar ar choinníoll uimhir 4 d'uimhir thagartha pleanála 21/1997. (ii) Mionleasuithe ar mhéid an loirg sínidh a ceadaíodh faoi uimhir thagartha pleanála 21/1997, chun caighdeán spáis oscailte cónaithe a chomhlíonadh sa ghairdín cúil. (iii) Athchumrú ar an leagan amach inmheánach a ceadaíodh faoi uimhir thagartha pleanála

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21/1997 chun tacú leis an athrú úsáide sin agus chun feabhas a chur ar fheidhmiúlacht na n-aonad ar shlí eile. (iv) Mionleasuithe ar aghaidh gach ingearchló, lena n-áirítear fuinneoga agus doirse a athshuí, a chur leis agus a bhaint chun tacú leis an athrú úsáide. (v) An obair ghaolmhar láithreáin agus choimhdeach ar fad is gá chun an fhorbairt bheartaithe a éascú, lena n-áirítear an stóras araidí a athrú chun dáta, grianphainéil fhótavoltacha dín a chur ar áireamh, agus an spás bia lasmuigh a bhaineann leis an gcaifé a bhaint. Ní chumhdaítear an fhorbairt leis na forálacha den Tríú Treoir maidir le Fuinneamh In-athnuaite (Treoir 2023/2413), agus í ar fad suite ar an Spidéal Thiar, an Spidéal, Contae na Gaillimhe.

## **Cinneadh**

**Cead a DHEONÚ don fhorbairt bheartaithe thuas i gcomhréir leis na pleananna agus na sonraí luaite, bunaithe ar na cúiseanna agus na cúinsí faoi bhun agus faoi réir na gcoinníollacha atá leagtha amach thíos.**

## **Cúiseanna agus Cúinsí**

Ag féachaint don chuspóir críosaithe úsáide talún a bhaineann leis an láithreán is ábhar don iarratas agus do cheanglais Chuspóir Beartais SSGV4 agus Chuspóir Beartais GA4, meastar, faoi réir na coinníollacha atá leagtha amach thíos a chomhlíonadh, nach mbeadh tionchar diúltach ag an bhforbairt bheartaithe ar thaitneamhachtaí an Spidéil, go mbeadh sí ina haonad cónaithe breise don limistéar Gaeltachta agus, dá bhrí sin, go mbeadh sí i gcomhréir le pleanáil chúí agus forbairt inchothaithe an limistéir.

## Coinníollacha

1. Déanfar an fhorbairt agus críochnófar í i gcomhréir leis na pleananna agus na sonraí a taisceadh in éineacht leis an iarratas, mar a leasaíodh leis an bhfaisnéis bhreise a fuair an t-údarás pleanála an 15<sup>ú</sup> lá de mhí na Nollag 2025, seachas de réir mar is gá ar shlí eile chun na coinníollacha seo a leanas a chomhlíonadh. I gcás go gceanglófar leis na coinníollacha sin go gcomhaontófaí mionsonraí leis an údarás pleanála, comhaontóidh an forbróir mionsonraí den sórt sin i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt, agus déanfar an fhorbairt agus críochnófar í i gcomhréir leis na sonraí comhaontaithe.

**Cúis:** Ar mhaithe le soiléire.

2. Déanfar an fhorbairt bheartaithe a cheadaítear leis seo a úsáid mar atá léirithe ar an doiciméadacht a cuireadh isteach in éineacht leis an iarratas pleanála agus, d'ainneoin na bhforálacha maidir le forbairt dhíolmhaithe de na Rialacháin um Pleanáil agus Forbairt, 2001 (arna leasú), agus d'ainneoin aon fhoráil reachtúil lena leasaítear na forálacha sin nó a chuirtear in áit na bhforálacha sin, ní dhéanfar aon athrú úsáide ná aon diansaothrú ach amháin i gcás go n-údarófar a mhalairt le deonú cead pleanála roimh ré.

**Cúis:** Ar mhaithe le soiléire agus ar mhaithe le pleanáil chuí agus forbairt inchothaithe an limistéir a áirithiú.

3. Ar feadh tréimhse 15 bliana, déanfar ceann amháin de na haonaid chónaithe a cheadaítear leis seo leis an gcead, mar a rialaítear leis an máthairchead a tugadh faoi uimhir thagartha 21/1997 ar an gclár pleanála, a theorannú dá úsáid mar aonad cónaithe acu sin ar féidir leo a léiriú go bhfuil cumas acu teanga agus cultúr na Gaeltachta a chaomhnú agus a chosaint, ach amháin i gcás go gcomhaontófar a mhalairt i scríbhinn leis an údarás pleanála.

Sula dtosófar an fhorbairt, déanfaidh an forbróir comhaontú dlíthiúil leis an údarás pleanála (faoi na forálacha d'alt 47 den Acht um Pleanáil agus Forbairt, 2000, arna leasú), arb é an cuspóir a bheidh leis gné cónaithe amháin den fhorbairt a theorannú nó a rialáil dá húsáid ag áititheoirí a bhfuil inniúlacht/líofacht chuí acu i nGaeilge. Cuirfear mionsonraí faoin gcaighdeán Gaeilge a bheidh le baint amach agus faoin modh a úsáidfear chun é sin a mheas faoi bhráid an údaráis pleanála, agus comhaontófar iad i scríbhinn leis, sula dtabharfar i gcrích an comhaontú a leagtar síos mar choinníoll leis seo. (Beidh duine cáilithe go huathoibríoch má cháilíonn sé/sí don Scéim Deontais Tithe). Ní áiteofar aon aonad go dtí go ndéanfar comhaontú leis an údarás pleanála de bhun alt 47 den Acht um Pleanáil agus Forbairt, 2000, arna leasú.

**Cúis:** Chun a chinntiú go mbeidh forbairt sa limistéar ina bhfuil an láithreán suite teoranta go cuí.

4. Beidh bailchríocha ábhair mar atá léirithe ar phleananna a cuireadh isteach mar chuid den iarratas pleanála, ach amháin i gcás go gcomhaontófar a mhalairt i scríbhinn leis an údarás pleanála sula dtosófar an fhorbairt.

**Cúis:** Ar mhaithe le taitneamhacht amhairc.

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5. Ní dhéanfar aon chomharthaí, aon siombailí, aon suaitheantais, aon téastair ná aon díonbhrait a thaispeáint ná a chur suas ar an bhfoirgneamh ná laistigh de chúirtealáiste an láithreáin gan cead pleanála a dheonú roimh ré. Fágfar ar lár an aghaidh bheartaithe siopa atá léirithe ar Líníocht Uimhir 3102 (Athbhreithniú A) a fuair an t-údarás pleanála an 18<sup>ú</sup> lá de mhí Mheán Fómhair 2025.

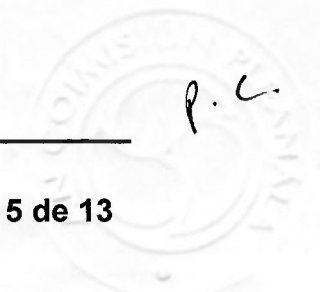
**Cúis:** Ar mhaithe le taitneamhacht amhairc.

6. Maidir le socruithe draenála, lena n-áireofar uisce dromchla a mhaolú agus a dhiúscairt, comhlíonfaidh siad ceanglais an údaráis pleanála le haghaidh oibreacha agus seirbhísí den sórt sin.

**Cúis:** Ar mhaithe leis an tsláinte phoiblí agus le bainistíocht uisce dromchla.

7. Maidir le hoibreacha forbartha agus tógála láithreáin, ní dhéanfar iad ach amháin idir 0700 agus 1900 ón Luan go dtí an Aoine, agus an dá lá sin san áireamh, agus idir 0800 agus 1400 ar an Satharn, agus ní dhéanfar aon oibreacha ar bith ar an Domhnach ná ar laethanta saoire poiblí. Ní cheadófar aon imeacht ó na hamanna sin ach amháin in imthosca eisceachtúla ina bhfuarthas réamh-chomhaontú i scríbhinn ón údarás pleanála.

**Cúis:** Chun taitneamhacht na réadmhaoine sa chomharsanacht a choimirciú.



8. Sula dtosófar an fhorbairt, déanfaidh an forbróir comhaontú/comhaontuithe um nasc le hUisce Éireann chun socrú a dhéanamh do nasc seirbhíse/naisc sheirbhíse leis an soláthar uisce poiblí agus/nó leis an líonra bailiúcháin fuíolluisce.

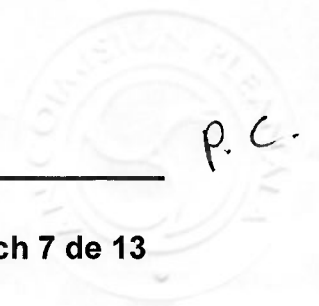
**Cúis:** Ar mhaithe leis an tsláinte phoiblí agus chun saoráidí leordhóthanacha uisce/fuíolluisce a chinntiú.

9. Cuirfear na hoibreacha scartála ar an láithreán i gcrích ar bhealach sábháilte sásúil. Diúscrófar ábhair ag láithreán líonta talún údaraithe nó athúsáidfear iad ar shlí eile ar bhealach údaraithe. Déanfar oibreacha scartála den sórt sin ar mhodh nach ndéanfaidh aon damáiste do réadmhaoine tadhlaigh ná nach gcuirfidh isteach orthu ná nach sáróidh iad agus ar mhodh nach ndéanfaidh aon damáiste don bhóthar poiblí ná do sheirbhísí faoi thalamh.

**Cúis:** Ar mhaithe le sábháilteacht an phobail agus taitneamhacht cónaithe.

10. Íocfaidh an forbróir leis an údarás pleanála ranníocaíocht airgeadais i leith bonneagar agus saoráidí poiblí a rachaidh chun tairbhe d'fhorbairt i limistéir an údaráis pleanála, ar nithe iad a sholáthróidh an t-údarás nó a sholáthrófar thar a cheann, nó a bhfuil sé beartaithe ag an údarás iad a sholáthar nó a bhfuil sé beartaithe iad a sholáthar thar a cheann, i gcomhréir le téarmaí na Scéime Ranníocaí Forbartha arna déanamh faoi alt 48 den Acht um Pleanáil agus Forbairt, 2000, arna leasú. Déanfar an ranníocaíocht sula dtosófar an fhorbairt nó trí cibé íocaíochtaí céimnithe a éascóidh an t-údarás pleanála, agus beidh sí faoi réir aon fhorálacha innéacsaithe is infheidhme den Scéim tráth na híocaíochta. Déanfar cur i bhfeidhm aon innéacsaithe a cheanglaítear leis an gcoinníoll seo a chomhaontú idir an t-údarás pleanála agus an forbróir nó, cheal comhaontú, tarchuirfear an ní chuig an gCoimisiún Pleanála lena chinneadh.

**Cúis:** Ceanglaítear leis an Acht um Pleanáil agus Forbairt, 2000, arna leasú, go ndéanfaí coinníoll lena gceanglaítear ranníocaíocht i gcomhréir leis an Scéim Ranníocaí Forbartha arna déanamh faoi alt 48 den Acht a chur i bhfeidhm i leith an cheada.



**Appeal** by Fóram Chois Fharráige Um Pleanáil Teanga CTR against the decision made on the 15<sup>th</sup> day of January, 2026 by Galway County Council to grant subject to conditions a permission to Castlestar Developments Limited in accordance with the plans particulars lodged with the said Council.

**Proposed Development:** An amendment to the development permitted under planning reference 21/1997 and consisting of the following: (i) change of use of the ground floor unit from the permitted commercial use (café) to residential use and related amendment of condition number 4 of planning reference 21/1997. (ii) Minor amendments to the size of the extension footprint approved under planning reference 21/1997 to meet residential open space standards in the rear garden. (iii) Reconfiguration of the approved internal layout under planning reference 21/1997 to support this change of use and otherwise improve the functionality of the units. (iv) Minor amendments to the façade on all elevations to include the repositioning, addition, and removal of windows and doors to support the change of use. (v) All associated site and ancillary work necessary to facilitate the proposed development, including updates to the bin store, inclusion of rooftop solar PV, and removal of outdoor dining space associated with the cafe. The development is not covered by the provisions of the Renewable Energy Directive III (Directive 2023/2413), all at Spiddal West, Spiddal, 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 land use zoning objective pertaining to the subject site and to the requirements of Policy Objective SSGV4 and Policy Objective GA4, it is considered that, subject to compliance with the conditions set out below, the proposed development would not negatively impact upon the amenities of An Spidéal, would provide for an additional residential unit for the Gaeltacht area and 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, as amended by the further information received by the planning authority on the 15<sup>th</sup> day of December 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development hereby permitted shall be utilised as indicated on the documentation submitted with the planning application and notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 (as amended), and any statutory provision amending or replacing them, no change of use or intensification shall take place unless otherwise authorised by a prior grant of planning permission.

**Reason:** In the interest of clarity and securing the proper planning and sustainable development of the area.

3. One of the residential units hereby permitted by the permission, as governed by the parent permission under planning register reference number 21/1997, shall be restricted to use as a residential unit by those who can demonstrate the ability to preserve and protect the language and culture of the Gaeltacht, unless otherwise agreed in writing with the planning authority, for a period of 15 years.

Prior to commencement of development, the developer shall enter into a legal agreement with the planning authority (under the provisions of section 47 of the Planning and Development Act, 2000, as amended), the purposes of which shall be to restrict or regulate one residential element of the development for the use of occupants who have an appropriate competence/fluency in Irish. Details of the standard of Irish to be achieved and method of evaluating this shall be submitted to, and agreed in writing with, the planning authority prior to the finalisation of the agreement hereby conditioned. (Qualification for the Sceim Deontais Tithe will automatically qualify). No unit shall be occupied until an agreement has been entered into with the planning authority pursuant to section 47 of the Planning and Development Act, 2000, as amended.

**Reason:** To ensure that development in the area in which the site is located is appropriately restricted.

4. Material finishes shall be as indicated on plans submitted as part of the planning application unless otherwise agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

5. No signage, symbols, emblems, canopies or awnings shall be displayed or erected on the building or within the curtilage of the site without a prior grant of planning permission. The proposed shopfront, as indicated on Drawing Number 3102 (Revision A) received by the planning authority on the 18<sup>th</sup> day of September, 2025 shall be omitted.

**Reason:** In the interest of visual amenity.

6. 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 interests of public health and surface water management.

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

**Reason:** To safeguard the amenity of property in the vicinity.

8. Prior to the commencement of development the developer shall enter into connection agreement(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.

9. The demolition works on site shall be carried out in a safe and satisfactory manner. Materials shall be disposed of to an authorised landfill site or otherwise re-utilised in an authorised manner. Such demolition works shall be carried out so as not to cause damage to, interfere with, nor infringe upon, adjoining properties, nor cause damage to the public road or underground services.

**Reason:** In the interests of public safety and residential amenity.

10. The developer shall pay to the planning authority a financial contribution of 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. The application of any indexation required by this condition 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.

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**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.

*Patricia Calleary.*

**Patricia Calleary**  
**Coimisinéir Pleanála den**  
**Coimisiún Pleanála atá**  
**údaraithe go cuí chun séala**  
**an Coimisiún a**  
**fhíordheimhniú**

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



Dátaithe ar an 21 lá seo de mhí na Bealtaine 2026.