

An  
Coimisiún  
Pleanála

Commission Order  
PL-500959-GC-26

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

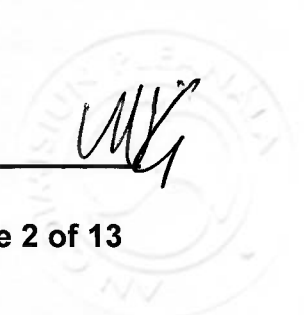
**Planning Authority: Galway City Council**

**Planning Register Reference Number: 25/60034**

**Appeal** by Kieran and Angela Brennan and by Others against the decision made on the 18<sup>th</sup> day of February, 2026 by Galway City Council to grant subject to conditions a permission to Highcross Developments Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for development which consists of: the redevelopment of an existing infill and brownfield site to provide for the construction of 40 number apartment units. The development will consist of: Demolition of one number existing two-storey detached dwelling. Construction of two number apartment blocks (namely Block A to the west and Block B to the east). Block A will consist of a six-storey flat roof building with additional stairwell and elevator shaft projection at roof level, to accommodate 22 number apartments comprising a mix of five number three-bed (five person – Type 4) apartments, 10 number two-bed (four

person – Type 3) apartments, six number two-bed (three person - Type 2) apartments and one number one-bed (two person - Type 1) apartment, with ground floor provision for Storage, bicycle parking/storage, refuse storage, communal space/additional storage space, Electrical room and plant room. Block B will consist of a five-storey flat roof building with additional stairwell and elevator shaft projection at roof level, to accommodate 18 number apartments comprising four number three-bed (five person -Type 4) apartments, eight number two-bed (four person -Type 3) apartments, five number two-bed (three person - Type 2) apartments and one number one-bed (two person - Type 1) apartment, with ground floor provision for Storage, bicycle parking/storage, refuse storage, communal space, Electrical room and plant room. Construction of detached single storey storage building, to provide for Universal Design Vehicle Storage (Cargo Bike Storage) and provision for potential Electrical Sub Station, provision for a south facing public open space area, comprising of a playground, seating, table tennis area with covered seating, hard and soft landscaping. Provision for 24 number surface carparking spaces within a shared surface/homezone area, visitor bicycle parking spaces, together with revised boundary treatments and signage. Revised access arrangements to include for an upgraded vehicular entrance/exit and footpath connections onto the Clybaun Road, together with the potential for future pedestrian connectivity to the Western Distributor Road. Connection to existing public mains water infrastructure, including connection to existing surface water and foul drainage networks, to serve the development, together with all associated site development works and services on a site located north-east of roundabout at the Junction of the Clybaun Road and Western Distributor Road, Knocknacarra, Galway City, as revised by further public notices received by the planning authority on the 22<sup>nd</sup> day of January, 2026.



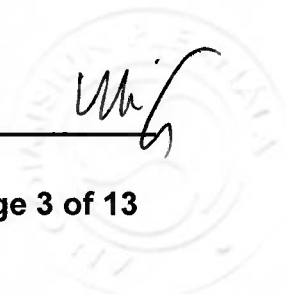
## **Decision**

**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 subject site's outer suburban location within Galway City and Suburbs, the vacant brownfield nature of the site, and its accessible location positioned adjacent to the Western Distributor Road, it is considered that the proposed development, subject to compliance with the conditions set out below, would not adversely impact on the residential amenities of adjoining properties, would meet the objective for efficient and effective use of zoned and serviced urban land and would make a positive contribution to the character and liveability of the city. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission decided not to include condition number 2(a) of the Inspector's Report, as recommended by the Inspector (which would have reduced the height of each of the proposed apartment blocks by one floor), as the Commission concurred with the view of the planning authority that the height of the proposed development, as originally proposed, due to the orientation, design and location of the proposed blocks, would not have a significant negative impact on the residential amenities of adjacent residential properties.



## 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 22<sup>nd</sup> day of December 2025 (revised public notices received on the 22<sup>nd</sup> 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. The proposed development shall be amended as follows:

Opaque privacy screens shall be provided to the balconies serving the proposed apartments on the northern elevations facing the existing properties in Hawthorn Place.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of orderly development and residential amenity.

3. 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 high standard of development.

4. 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. 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.

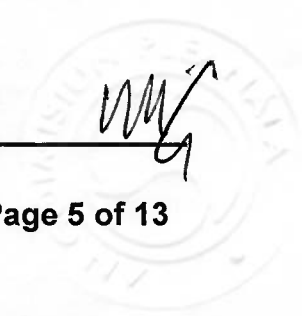
5. The proposed residential units shall not be used for short term lettings as defined in the Residential Tenancies (Amendment ) Act 2019 and the Planning and Development Act 2000 (Exempted Development) (Number 2) Regulations 2019.

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

6. The car parking spaces provided within the development shall be reserved for exclusive use of the residential occupiers of the development.

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

7. 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 interest of public health.

8. Prior to the commencement of development, the developer shall enter into connection agreement(s) with Uisce Éireann (Irish Water) to provide for service connection(s) to the public water supply and wastewater collection network.

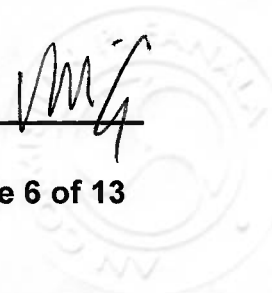
**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

9. The developer shall undertake full road width realignment on the section of the Clybaun Road, which the development fronts onto. Exact details shall be submitted to the planning authority for written approval prior to the commencement of development. The developer shall submit an undertaking that the additional width on the Clybaun Road shall form part of the public road system under the charge of the local authority.

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

10. All accepted recommendations set out in the Stage 1 Road Safety Audit shall be implemented by the developer. Prior to the construction of the development, a Stage 2 Road Safety Audit shall be undertaken and 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.

**Reason:** In the interest of road safety.



11. (a) An accurate tree survey of the site, which shall be carried out by an arborist or landscape architect, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.
- (b) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

**Reason:** To facilitate the identification and subsequent protection of trees to be retained on the site in accordance with Policy 5.4 Green Spaces: Urban Woodlands and Trees of the Galway City Development Plan 2023 - 2029.

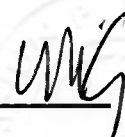
12. (a) Prior to the commencement of development, the developer shall retain the professional services of a qualified Landscape Architect throughout the life of the site development works.
- (b) A professionally prepared plan for the play area/recreational facility, along with exact details for the recreational play area/facility shall be agreed in writing prior to the commencement of development with the planning authority. The appointed person shall submit a report of certification upon completion of the play area/recreational facility to the planning authority which shall be agreed in writing by the planning authority.

- (c) The Landscape Architect shall submit a landscape completion record to the planning authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.
- (d) 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.

- 13. Prior to the commencement of development, a piece or pieces of artwork shall be provided within this development. The evolution of the design should include the creation of an aesthetic object or objects, either reflecting the natural or built environment, or an abstract piece, all of which should allow for the generation experiences which can be shared with others within this new community. The artwork proposed for this development shall be sponsored by the developer. The details and timeframe for its erection shall be agreed in writing with the planning authority prior to the commencement of development.

**Reason:** In the interest of the visual amenity of the area and to accord with the Per Cent for Art Scheme 2020 (as outlined in section 11.27 of the Galway City Development Plan 2023 - 2029).

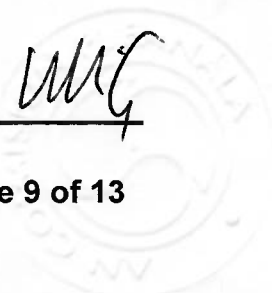
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14. Proposals for an apartment naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all apartment numbers, shall be provided in 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.

15. A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include, but not be limited to, construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

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



16. Site development and building works shall be carried out only between the hours of 0700 and 1800 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 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.

17. 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 public 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.

18. 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 waste shall be managed in accordance with the agreed plan. This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.



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

19. 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.

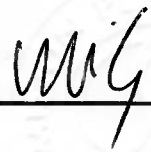
**Reason:** To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the Development Plan for the area.



20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. 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 the satisfactory completion of the development.

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.



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**Liam McGree**

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

Dated this 30<sup>th</sup> day of June 2026.