

An
Coimisiún
Pleanála

**Commission Order
PL-501162-GY-26**

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 26/60100

Appeal by Aloysious Burke against the decision made on the 19th day of March, 2026 by Galway County Council to grant, subject to conditions, a permission to Mick and Judy Conway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a dwellinghouse and domestic garage, wastewater treatment system and associated site works at Cartron, Milltown, 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 in Rural Housing Zone 3 (Structurally Weak Area) and to the planning policies, objectives and development standards of the Galway County Development Plan 2022-2028, and specifically to Section 4.6.2 and Policy Objectives RH3, RH 9, WW 6 and DM Standards 6, 8 and 28, to the nature, scale and design of the proposed development relative to adjoining dwellings and to the existing pattern of development in the wider area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location, would not seriously injure the amenities of adjoining properties, 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 plans and particulars received by An Coimisiún Pleanála on the 12th day of May 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 floor plans as shown on drawing number 101 Rev P6 shall be amended as follows:
- (a) Bedroom 4 (including the ensuite) shall be reduced in width to match the width of the proposed kitchen, that is reduced to 5.6 metres.
 - (b) Bedroom 4 shall be reconfigured so that the area that currently accommodates the ensuite and walk in wardrobe shall be set back at least one metre behind the front building line of the house.
 - (c) The fenestration to bedroom 4 shall be repositioned to achieve symmetry in the position of the windows.

These design amendments will result in the two gables to the front elevation being of equal width and the flat roof element being behind the front building line.

Reason: To achieve a simple plan form and clean roof shape in accordance with DM standard 8 of the Development Plan.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and garage 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. 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 details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. (a) The septic tank/wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report lodged with the application and shall be in accordance with the standards set out in the document entitled "Code of Practice - Domestic Wastewater 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 Wastewater 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.

- 6. (a) Prior to the commencement of development, details of the proposed boundary to the eastern (roadside) frontage and access point shall be submitted for agreement in writing to the planning authority.
- (b) Site access arrangements, and the provision and maintenance of visibility splays, shall comply with the requirements of the planning authority for such works.

Reason: In the interest of road safety.

7. 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.

Reason: In the interests of visual and residential amenity.

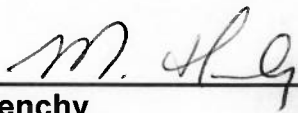
8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays Deviation from these times will only be allowed in exceptional circumstances where prior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

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

9. 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 Henchy

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

Dated this  day of  2026.

