



An
Bord
Pleanála

**Board Direction
PL61.247406**

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 20th 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the location of the subject site within the city centre of Galway, to the pattern of development in the vicinity, and to the planning history of the site, and having regard to the provisions of the Galway City Development Plan 2017-2023 and to the nature and scale of the proposed development, which is specifically for managed student accommodation, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would not conflict with the visual amenities or character of the area, and would be acceptable in terms of pedestrian and traffic safety. The proposed development 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 submitted on the 22nd day of August 2016, and the further particulars submitted on the 8th day of September 2016, 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 development hereby permitted shall be used solely for managed student accommodation, in accordance with, and subject to, the management policies as submitted with the application. It shall not be used for holiday letting, nor as hotel or hostel accommodation, without a prior and separate planning permission. It shall not be used as non-student residential accommodation.

Reason: In the interests of clarity and proper development, and in order to limit the use of the development to that applied for.

3. Details, including samples, of the materials, colours and textures of all the external finishes to the building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Details of the proposed wall boundary treatment with “the Elms” shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed boundary shall be provided and completed prior to the first use of the proposed development.

Reason: In the interests of visual and residential amenity.

5. Details of the proposed sign on the front façade (to include details of materials and lettering size and wording) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The sign may be backlit but shall not be internally illuminated.

Reason: In the interest of visual amenity and to permit the planning authority to assess the quality of this sign, and its impact upon the streetscape, before erection.

6. Apart from the single sign referred to in condition 5 of this order, and notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the proposed building or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and orderly development and to permit the planning authority to assess any such development through the statutory planning process.

7. Other than the solar panels shown on submitted drawings, and notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no additional development not shown on submitted drawings shall take place at roof level, including any lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area, and to permit the planning authority to assess any such development through the statutory planning process.

8. Water supply and drainage arrangements, including the 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.

9. Site development and building works shall be carried out only between the hours of 0700 to 1800 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: In order to safeguard the residential amenities of property in the vicinity.

10. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

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

11. 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 and for the ongoing operation of these facilities 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.

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

12. As PA condition 14 and reason. (*substitute 2017-2023 for the date of the Development Plan in the reason*)

13. As PA condition 11 and reason.

14. As PA condition 10, and reason.

15. As PA condition 7

Reason In the interests of visual amenity and of the residential amenity of the proposed student occupants.

16. As PA condition 15, and reason.

17. 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 Bord 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.

Board Member

Date: 22nd February 2017

Philip Jones