



An
Bord
Pleanála

Board Direction
BD-007551-21
ABP-308344-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/02/2021.

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 Galway City Development Plan, 2017-2023 according to which the site is located within the "*Inner Residential Area*" for which there is a requirement for compatibility with the scale, proportions, character and amenities of existing development, and to the established pattern and character of development in the area it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties and the visual amenities of the area would be acceptable in terms of pedestrian and vehicular safety and convenience and, would 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 lodged on 22nd July, 2020 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. A masonry wall, to a maximum height of two metres shall be constructed along the east site boundary of the adjoining property, (Avila) and completed prior to the occupation of the dwelling. This should be within the applicants own property unless written consent and agreement is received from the adjoining neighbour. Full details in plan form and inclusive of materials and finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity and the residential amenities of the area.

3. The following requirements shall be provided for and adhered to in the development:
 - (a) Full details for the proposed front boundary screen and gate which shall not exceed a height of 1.8 metres in height and of the proposed materials and finishes shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.
 - (b) Full details for the proposed hard and soft landscaping for the space at the front and the amenity space at the rear of the dwelling shall be submitted

to, and agreed in writing with, the planning authority prior to commencement of development.

(c) No additional fenestration shall be fitted unless otherwise authorised by a prior grant of planning permission.

Reason: In the interest of clarity and visual and residential amenity.

4. Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours 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.

5. 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. Sample panels shall be erected on site for inspection by the planning authority in this regard.

Reason: In the interest of visual amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk including in the basement area, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

8. 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: 16/02/2021

Maria FitzGerald