



An
Bord
Pleanála

Board Direction
BD-013049-23
ABP-313620-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/07/2023.

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 2023-2029 according to which the site location is within a Neighbourhood Residential Area and subject to a zoning objective for residential development, to the established pattern and character of development in the area and to the planning history for the site it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of residential development in the area or the visual amenities of the area 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 1st April, 2022 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 studio/workshop use shall be confined to use which is ancillary to the residential use of the main dwelling by the occupant and shall exclude commercial use or subletting or sale separately to third parties without a prior grant of planning permission from the planning authority or An Bord Pleanala following appeal

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

3. The dwelling shall be occupied as a single dwelling unit only and it shall not be subdivided and or used for short-term letting without a prior grant of planning permission from the planning authority or An Bord Pleanala following appeal and, if and when it is no longer required for such occupancy, the use shall be confined to use associated with the residential use of the main dwelling.

Reason. In the interest of clarity, the protection of the supply of housing stock for long term residential occupation, having regard to the location within a designated Rent Pressure Zone, residential amenities and the proper planning and sustainable development of the area.

4. The developer shall submit to, and agree in writing with, the planning authority details of all the materials, textures and colours for the external facades including fenestration and shall implement the agreed works within six months of the date of this order.

Reason: In the interest of residential amenities.

5. 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.

6. 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.

7. 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



Joe Boland

Date: 27/07/2023

