

An  
Bord  
Pleanála

**Board Direction**  
**BD-016699-24**  
**ABP-318920-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/06/2024.

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, the established use of the site as a childcare facility, and the location, design and scale of the proposed extension proposed, the Board considered that subject to the following conditions the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of traffic safety and convenience 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 Bord Pleanála on the 20th day of February 2024, 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 completed in accordance with agreed

particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of development details of the operating times and dates of the childcare facility shall be submitted for the written agreement of the planning authority.

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

3. Details of the external finishes of the proposed extension to include details of materials, texture and colour shall be submitted to and agreed in writing with the planning authority prior to commencement of the development.

**Reason:** In the interests of visual amenity.

4. The privacy screen to the terrace area shall be 1.8m in height above the finished floor level of the terrace. Details of construction and materials, which shall be certified by a suitably qualified person, shall be submitted for the written agreement of the planning authority prior to commencement of the development.

**Reason:** In the interests of privacy and proper planning and development.

5. All drainage arrangements including the attenuation and disposal of surface water shall be in accordance with details to be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interests of proper and efficient drainage.

6. Prior to commencement of the development the developer shall submit for written agreement with the planning authority an Operational Stage Mobility and Traffic Management Plan in accordance with the requirements of the planning authority. The Plan shall be implemented in accordance with this

agreement and shall be updated annually, in agreement with the planning authority.

**Reason:** In the interests of traffic safety and to protect residential amenity.

7. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 amenities of property in the vicinity.

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

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

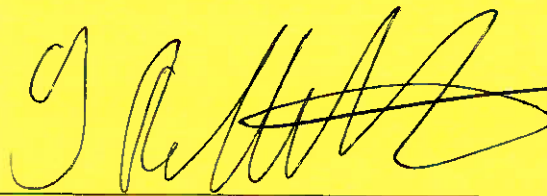
9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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**

A handwritten signature in black ink, appearing to read 'Tom Rabbette', written over a horizontal line.

Tom Rabbette

**Date:** 19/06/2024