



An
Bord
Pleanála

Board Direction
BD-018599-25
ABP-319533-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/01/2025.

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 Policy Objective 4.5 Transport Demand Management Measures and DM Standards 11.3.1 (a) and 11.3.3 in relation to Traffic Safety and Mobility Management of the Galway City Development Plan 2023 to 2029, the Board considered that the proposed development would be acceptable in terms of traffic and pedestrian safety, and convenience, and would be in accordance with the proper planning and sustainable development of the area. The Board considered that subject to compliance with the conditions set out below, the proposed reduction in car parking number would not have a material impact on the amenity of neighbouring dwellings in the local area, and that the traffic impact arising as a result of the development would be minimal.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 9th 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity

2. All service cables associated with the proposed development such as electrical, telecommunications and communal television should 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

3. The construction of the development shall be managed in accordance with an updated Construction Management Plan, Environmental Management Construction Plan, Construction and Demolition Waste Management Plan (CDWMP) and Construction Traffic 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 hours of working, noise and dust management measures, traffic management arrangements/ measures and off-site disposal of construction/demolition waste. The plan must recognise the construction impact on adjoining public roads, in particular catering for the cul-de-sac road located to the south of Galway Clinic.

Reason: In the interests of public safety.

4. Surface water from the development shall be managed as set out in the submitted Engineering Services report. Final design details of the proposed system shall be agreed in writing with the planning authority prior to

commencement of development. The development shall be completed in accordance with the agreed details.

Reason: In the interest of proper planning and sustainable development.

5. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) as submitted to the planning authority on the 9th of February 2024. The specific measures detailed in Section 5.3 and Section 5.5 of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation of the development. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first 6 years following first occupation of the development and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

6. Prior to commencement of development revised drawings shall be submitted for the written agreement of the Planning Authority which include for the provision of a minimum of 70 sheltered spaces (14 stands) on site (including for e-bikes) on lands within the control of the applicant as identified for by blue outline on mapping. The development shall be completed in accordance with the agreed details.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

7. 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: In order to safeguard the residential amenities of property in the vicinity.

8. There shall be no plant, ducting, water tanks, television aerials, satellite dishes or telephone receiving/transmission equipment erected above roof level or on external walls, other than indicated on the details submitted, without a further grant of planning permission notwithstanding exempted planning and regulations.

Reason: In the interest of orderly development and the protection of visual amenities.

9. The operator of the proposed development shall insulate against the transmission of sound and the activities carried out therein and shall ensure that the plant services for the development shall not make or cause to be made any noise or vibration which is so loud, so continuous or so repeated or of such duration of pitch or at such times as to give reasonable cause for annoyance to persons in any premises in the neighbourhood or to persons lawfully using any public place.

Reason: To prevent annoyance by reason of noise to occupants of nearby premises and to safeguard the amenities of the area

10. 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


Mary Rose McGovern

Date: 14/01/2025