

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway City

Planning Register Reference Number: 15/292

An Bord Pleanála Reference Number: PL 61.246803

APPEAL by An Taisce care of Derrick Hambleton of 26 Manor Avenue, Kingston, Galway against the decision made on the 2nd day of June, 2016 by Galway City Council to grant subject to conditions a permission to Moralto Investments Limited care of Taylor Architects, Breaffy Road, Castlebar, County Mayo in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of the refurbishment of an existing four-storey office building, modifications to the existing doors of the east façade along with replacement of windows throughout, partial removal of the west façade, to be reinstated with glazing and projecting elevational features, glazed roof extension over fire stair and a roof and rainwater goods shall be carried out as part of the proposed works. Connection to existing water main, foul sewer and surface water drainage including external lighting, paving, signage and all associated site works at Island House, Gaol Road, Galway, as revised by the further public notices received by the planning authority on the 9th day of May, 2016.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the site location adjacent to the Waterway which will be overlooked by the proposed west facing façade, the nature and extent of the previous permitted extensions, alterations and additions to planning history, the current permitted office for the existing structure and the design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the integrity of historic fabric or the character of the existing structure, would be consistent with good conservation practice and would not seriously injure the visual and recreational amenities of the area or the residential amenities of the property at Nun's Island. 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 5th day of April, 2016 and by An Bord Pleanála on the 26th day of July, 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 western façade shall be in accordance with the details shown for Option B submitted to An Bord Pleanála on the 26th day of July, 2016. Plans, section and elevation drawings and a specification to include colours and finishes for the brise soleil louvres shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and the amenities of the area.

3. (a) A conservation architect shall be employed to manage, monitor and implement the works on the site to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façade structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” issued by the Department of Arts, Heritage and the Gaeltacht in 2011.
- (c) Detailed specification for each of the windows, in particular on the front (eastern) elevation which shall include an analysis of each window which is proposed to be replaced and an assessment and methodology of its potential for repair rather than replacement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The works approved for the repair, restoration and/or replacement windows shall be carried out strictly in accordance with the approved specification.
- (d) Detailed specification for the repair of the roof tiles, in particular on the front (eastern) elevation which shall include an analysis of the area of tiling and an assessment and methodology of its potential for repair rather than replacement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The works approved for the repair, restoration and/or replacement windows shall be carried out strictly in accordance with the approved specification.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

4. Prior to commencement of development, a condition survey, method statement and specification for the proposals for each window on the front (east) elevation, shall be submitted to, and agreed in writing with, the planning authority and fully implemented prior to the occupation of the building.

Reason: In the interest of clarity and best conservation practice.

5. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall –
 - (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably-qualified archaeologist who shall monitor all investigations and other excavation works, and
 - (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

6. 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 which shall include details of arrangements for construction traffic management, construction compound, measures control of dust emission, run-off and other pollutants providing for the protection of the adjoining waterway and amenity area and for the storage and removal of construction and demolition waste.

Reason: In the interest of orderly development, amenity and public health.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation on Waste Management Plans for Construction and Demolition Projects” published by the Department of the Environment, Heritage and Local Government in July 2006 and shall include details of measures for the protection of the adjoining waterway from contamination.

Reason: In the interest of sustainable waste management and environmental protection.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.