



An  
Bord  
Pleanála

**Board Order**

**PL 07.248663**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 16/1633**

**Appeal** by Liam Madden of Convent Road, Longford against the decision made on the 17<sup>th</sup> day of May, 2017 by Galway County Council to grant subject to conditions a permission to M.P. Young Developments Limited care of John Healy of Suite 21, Orantown Centre, Oranmore, Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) Change of use of ground floor licensed premises to use as a betting office including internal and elevation alterations and the provision of a new shop-front and associated signage; (2) a new access stairwell to the rear of the building to access the existing first and second floor levels and (3) change of use of existing first and second floors from guest-house accommodation to office use including all alterations at Main Street, Loughrea, County Galway.

## **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 zoning objective for the Town Centre (C1) area in the Loughrea Local Area Plan 2012-2018 the primary focus of which is for retail and service activity, the location of the proposed development in an Architectural Conservation Area, the nature, scale and extent of the office and betting office uses, the proposed retained elements of original built fabric and the sensitive treatment of the front façade, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity or the visual amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development would not give rise to a proliferation of office and betting office uses and would contribute to the vitality and vibrancy of the town and would be consistent with Development Plan and Local Area Plan policy relating to the provision of retail development. The Board also considered that the proposed development, including the proposed frontage and three storey rear extension would be consistent with Objective AH3 and DM Standard 44 of the Galway County Development Plan 2015-2021 (as varied) and to Objectives BH3 and UD5 of the Loughrea Local Area Plan 2012-2018.

## 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 21<sup>st</sup> day of April, 2017, 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) The works permitted shall be recorded photographically, including fabric exposed during works or concealed details, and a report shall be submitted to the planning authority. (This refers only to historic).
  - (b) The developer shall ensure that site supervision and project management by personnel suitably qualified in conservation shall be available during the progress of the works.
  - (c) The works shall be monitored by an architect with conservation expertise. The architect shall submit on completion, certification that the works have been carried out in accordance with good conservation practice and in line with the conditions of the planning permission.

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

3. The proposed shopfront shall be in accordance with the following requirements:-
- (a) signs shall be restricted to a single fascia sign using sign writing or comprising either hand-painted lettering or individually mounted lettering,
  - (b) lighting shall be by means of concealed neon tubing or by rear illumination, and
  - (c) no awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission.
  - (d) external roller shutters shall not be erected, and
  - (e) no adhesive material shall be affixed to the windows or the shopfront.

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

4. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

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

5. The design of the proposed windows to the front elevation shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity

6. 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 site 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.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

