



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 17/796

Appeal by Anthony McGhee of Castle Street, Loughrea, County Galway against the decision made on the 6th day of February, 2018 by Galway County Council to grant subject to conditions a permission to Johnmarsha Limited care of Clarke Construction Design Limited of Kendal House, Number 3 Abbey Street, Loughrea, County Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: Renovation of existing building that is a protected structure RPS reference number 3490, with construction of extension to rear of existing protected structure with change of use from commercial store/retail at rear of ground floor unit. With existing dwellinghouse on first and second floor to be renovated into six number apartments over the three floors, external fire escape stairs with car parking entrance from existing Castle Street entrance and all associated site development works, all 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 provisions of the site, as set out in the Galway County Development Plan 2015-2021 and Loughrea Local Area Plan 2012-2018, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development of the protected structure would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 10th day of January 2018 and by further plans and particulars received by An Bord Pleanála on the 23rd day of April, 2018, 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 following items shall be retained and restored as part of the proposed development:
 - (i) The open well staircase.
 - (ii) The timber sash windows and the decorative plasterwork to the façade.

Details of the procedures to be followed in order to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to protect the character of the protected structure.

3. All proposed works to the protected structure shall be carried out under the supervision of a qualified professional with specialised conservation expertise.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. A schedule of all materials to be used in the external treatment of the development to include shopfront materials, roofing materials, windows and doors shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development/conservation.

5. Prior to commencement of the development, the developer shall submit to, and agree in writing with, the planning authority a method statement for the proposed demolition works on site certified by a Chartered Structural Engineer with Professional Indemnity Insurance. Such demolition works shall be carried out so as not to cause damage to, interfere with or infringe upon adjoining properties, or cause damage to the public road or underground services.

Reason: In the interest of orderly development and amenity.

6. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity.

7. 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 materials which the authority considers appropriate to remove.

In default of agreement of any of these recommendations, 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.

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

Reason: To ensure adequate servicing of the development and to prevent pollution.

9. 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. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction demolition waste.

Reason: In the interest of public safety and residential amenity.

10. 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 of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

11. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

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

12. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 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 amenity of property in the vicinity.

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

Dated this day of 2018.