



An  
Bord  
Pleanála

## Board Order ABP-301693-18

---

### Planning and Development Acts 2000 to 2018

#### Planning Authority: Galway City Council

**Application** for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 25<sup>th</sup> day of May 2018 by NTM ROI Seed Capital LP care of McCarthy Keville O’Sullivan Limited, Block 1, G.F.S.C., Moneenageisha Road, Galway.

#### **Proposed Development:**

A strategic housing development at the site of the existing Westwood Hotel, Dangan, Upper Newcastle, Galway.

The development will consist of:

1. The demolition of the existing Westwood Hotel (5,253 square metres);
2. Redevelopment of the proposed site for a student accommodation scheme:
  - The proposed scheme will include 63 number apartments with 394 number bedrooms, together with all ancillary facilities including a reception area, social spaces, study areas, storage areas, associated signage and plant areas (gross floor area 12,112 square metres).

- The complex will include 23 number four-bed apartments, one number five-bed apartment, one number six-bed apartment, 13 number seven-bed apartments and 25 number eight-bed apartments.
- The proposed accommodation is arranged in five number blocks which vary in height from three to five storeys.
- Three number water storage compounds, two number heat pumps, fan equipment and access stairs at roof level.
- A café/restaurant space (150 square metres) and outdoor seating area is provided on the ground floor of Block A.
- Site landscaping including the provision of three courtyard garden areas and the provision of new pedestrian and cyclist links to the Thomas Hynes Road and the N59 Upper Newcastle Road.
- Vehicular and emergency access to the development is via the N59 Upper Newcastle Road.
- 24 number car parking spaces are provided comprising 10 number permanent parking spaces (including two number disabled access spaces), along with 14 number temporary (summer use) spaces within a games area with hard surface.
- A designated coach set down area.
- 140 number cycle parking spaces in 11 number sheltered racks.
- All ancillary works including foul and surface water sewers; works to the public footpath; and all other associated site services, site infrastructure and site development works.
- The complex will be used as visitor or tourist accommodation on a temporary basis outside of academic term times.

## **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**

In coming to its decision, the Board had regard to the following:

- (a) the site's location in close proximity to the National University of Ireland Galway,
- (b) the policies and objectives in the Galway City Development Plan 2017-2023,
- (c) the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (d) the National Student Accommodation Strategy 2017,
- (e) the nature, scale, and design of the proposed development,
- (f) the pattern of existing and permitted development in the area,
- (g) the submissions and observations received, and
- (h) the report of the Inspector.

It is considered that, subject to compliance with the conditions set out below that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area, and would be acceptable in terms of traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Appropriate Assessment Screening**

The Board noted the Appropriate Assessment Screening Report submitted by the applicant and the Appropriate Assessment Screening determination carried out by the Inspector. The Board concurred with the Inspector's determination, and adopted the conclusions and recommendations in this regard. The Board was therefore satisfied, having regard to the nature, location and scale of the subject development, that the construction of the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any other European sites, in view of the sites' conservation objectives.

## **Environmental Impact Assessment Screening**

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Document submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. The Board concluded that the proposed development, having regard to its nature and scale, would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. 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. The proposed development hereby permitted shall only be occupied as student accommodation, in accordance with the definition of student accommodation provided under section 13(d) of the Planning and Development (Housing) and Residential Tenancies Act 2016, and shall not be used for any other purpose without a prior grant of planning permission for change of use.

**Reason:** In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

3. Details and samples of the materials, colours and textures of all the external finishes to the proposed development including pavement finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with the planning authority:
  - (a) Details of the pedestrian crossing facilities on the Thomas Hynes Road;
  - (b) An integrated public lighting design for the site and site boundaries;
  - (c) Within six months of the operation of the proposed facility, the developer shall submit for the written agreement of the planning authority a Mobility Management Plan. Details of the location, quantum and accessibility of public parking within the area shall be specifically outlined.

**Reason:** In the interest of traffic and public safety.

5. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

6.
  - (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling, shall not exceed:
    - (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
    - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
  - (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In addition, prior to commencement of development mitigation measures against the risk of flooding shall be agreed with the planning authority including measures to address egress of occupants from the building in the case of flooding of surrounding land.

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

8. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

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

9. 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.

**Reason:** In the interest of sustainable waste management.

10. A plan containing details for the management of waste within the proposed development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

11. Site development and building works shall be carried out only between 0800 to 1900 hours 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.

12. The construction of the proposed 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 interests of public safety and residential amenity.



