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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 19/221**

**Appeal** by MT Mono Trading Limited care of MKO of Tuam Road, Galway against the decision made on the 23<sup>rd</sup> day of September, 2019 by Galway City Council in relation to the application for permission for development comprising (1) amendments to the ground floor layout including reconfiguration of the bathrooms and creation of a fire escape corridor, (2) alterations to the existing fenestration and conversion of a window into a doorway at ground floor level on the south-western elevation, (3) alterations to the layout at fourth floor level including the insertion of alternative fire escape corridor, (4) change of use at fifth floor from an existing leisure centre to 13 number bedrooms, (5) the construction of an additional sixth floor containing six number bedrooms, fire escape corridor and plant areas and (6) all other associated site development and servicing works at Hotel Meyrick, 14-15 Eyre Square, Galway (Protected Structure RPS Reference 3801) in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for (1) amendments to the ground floor layout including reconfiguration of the bathrooms and creation of a fire escape corridor, (2) alterations to the existing fenestration and conversion of a window into a doorway at ground floor level on the south-western elevation, (3) alterations to the layout at fourth floor level including the insertion of alternative fire escape corridor and related site works and to refuse permission for (4) change of use at fifth floor from an existing leisure

centre to 13 number bedrooms and (5) the construction of an additional sixth floor containing six number bedrooms, fire escape corridor and plant areas).

## **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 design and appearance of the proposed development, including the revised elevation treatment proposed with the appeal, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and would not adversely impact on the character of the Protected Structure or the Architectural Conservation Area. The proposed development, therefore, would 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 and by the further plans and particulars received by An Bord Pleanála on the 21<sup>st</sup> day of October 2019, 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. Details, including samples, of the materials, colours and textures of all the external finishes to the building, including the new access ramp and windows shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Details, including appropriately scaled drawings providing for enhanced public realm measures including lighting and/or planting under the modern extension (along the thoroughfare between Galway (Ceannt) Station and Eyre Square) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. Any works to the protected structure shall be carried out with the input of specialist expertise in the form of a conservation architect and shall be carried out in accordance with the requirements of the Architectural Heritage Protection Guidelines and any other advice issued by the Department of Arts, Heritage and the Gaeltacht.

**Reason:** To safeguard the special architectural interest of the protected structure.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 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.

7. The 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.

8. 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 the 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.

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**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**