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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 20/85**

**Appeal** by Carmel de Brún care of Daniel Melia of Collinamus, Rosscahill, County Galway against the decision made on the 6<sup>th</sup> day of October, 2020 by Galway City Council to grant subject to conditions a permission to Helena Lydon care of Planning Workshop of Studio 204, Business Innovation Centre, NUI Galway, Upper Newcastle Road, Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Demolition of existing shed, and construction of new two-storey extension (50 square metres) to existing dwellinghouse (126 square metres). Development to existing house includes new window opening to first floor corner, new Velux rooflight, and all internal alterations. Extension includes carport at ground floor, and roof terrace (13 square metres) at second floor level. All site services and landscaping works, including to move existing telephone pole on public footpath, all at Bridge House, 24 Canal Road Lower, 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 location of the site within the established inner urban context of Galway city, the site layout, the proposed footprint between the existing building and the adjoining building on the New Road frontage, the separation distance from the adjoining property to the north and to the adjoining properties, and to the height, form and design of the proposed extension including the proposed roof garden, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties in the vicinity or the amenities of the area and would, otherwise, 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 lodged with the planning authority on 10<sup>th</sup> day of September, 2020 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 artificial foliage buffer above treated plinths inside plastered and capped blockwork and composite timber trellis for the proposed roof terrace shall be omitted and replaced with a fixed opaque glazed privacy screen to a height of 1.8 metres. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a specification and roof plan, section and elevation drawings showing compliance with this condition. The privacy screen shall be erected prior to occupation of the extension.

**Reason:** In the interest of the clarity and the protection of the amenities of the area.

3. Full details of the proposed arrangements for cycle and refuse storage shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

4. 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.

5. Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours 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.

6. Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Sample panels shall be erected on site for inspection by the planning authority in this regard.

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

7. The use of the extension shall be confined to use ancillary to the residential use of the main dwelling as a single dwelling unit. No subletting or commercial use shall be permitted without a prior grant of planning permission.

**Reason:** In the interest of clarity and in the interest of the protection of the residential amenities of the area.

8. The entrance to the carport shall have inward opening gates only and the footpath and kerb shall be dished at the developers' expense to the satisfaction the planning authority.

**Reason:** In the interest of public safety and convenience and orderly development.

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

Dated this            day of            2021.