



An
Bord
Pleanála

Board Order
ABP-309509-21

Planning and Development Acts 2000 to 2020

Planning Authority: Galway City Council

Planning Register Reference Number: 20/309

Appeal by Catherine Doyle care of Daniel Melia Consulting Engineer of Collinamuck, Rosscahill, County Galway against the decision made on the 29th day of January, 2021 by Galway City Council to grant subject to conditions a permission to Tony O'Connor care of Helena McElmeel Architects of Dockgate House, Merchants Road, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of an external store and home office building with car port, to rear garden of existing dwelling, and all associated site development and external works at number 7 Ely Place, Sea Road, Galway (a Protected Structure RPS 9116).

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.

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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 nature and scale of the proposed development which is ancillary to the use of the existing dwelling on site, the overall design and scale, which is subordinate in scale to the existing dwelling on site and structures in the vicinity, the proposed development would not seriously injure the visual amenities of the area, the amenities of adjoining property, the character and integrity of the protected structure on site, those on adjoining sites and the Architectural Conservation Area it is located in. 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, 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 external finishes of the proposed development shall be as specified in the planning application including the metal seamed roof. The detail of the external finishes on the walls 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. The proposed home office/store/car port extension shall be used solely for that purpose and ancillary to the use of the main dwelling. The existing dwelling and proposed home office/store shall operate as a single residential unit and the home office/store shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. 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 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 amenities of property in the vicinity.

5. 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, and
 - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and 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.

6. 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 traffic management, noise, vibration and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and the amenities of the area.

7. 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.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 14th day of June 2021.