

An  
Bord  
Pleanála

Board Order  
ABP-310549-21

---

## Planning and Development Acts 2000 to 2021

Planning Authority: Galway City Council

Planning Register Reference Number: 21/106

**Appeal** by Fintan and Evelyn O'Connor of 11 Cookes Terrace, Bohermore, County Galway against the decision made on the 3<sup>rd</sup> day of June, 2021 by Galway City Council to grant subject to conditions a permission to Michael and Catherine Mullaney care of Ronan Sweeney and Associates of 42 Belmont Green, Newbridge, County Kildare in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention and permission for development which will consist of: (i) Demolishing a section of existing partly constructed blockwork extension to the rear of existing dwelling (ii) Retain and complete a section of existing partly constructed ground floor extension to the rear of existing dwelling (iii) Refurbishment and alterations to existing layout and elevations (iv) Retention of front entrance door and construction of new canopy over and all ancillary site works, all at 12 Cookes Terrace, Bohermore, Townspark, Galway, 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 nature and scale of the proposed development and to the overall design and scale, which is subordinate in scale to the existing dwelling on site and to structures in the vicinity, it is considered that the proposed development would be satisfactory in the context of the visual amenities of the area and the amenities of adjoining property. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained, 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 retained, carried out and completed in accordance with the agreed particulars. This permission does not include the shed proposed in the development description with no plans submitted for such.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:
  - (a) The roof height of the single storey extension shall be reduced to 3.1 metres above ground level.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of orderly development.

3. Site development and building works shall be carried out only between the hours of 0700 and 1800 from 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 amenities of property in the vicinity.

4. 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.

5. 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.

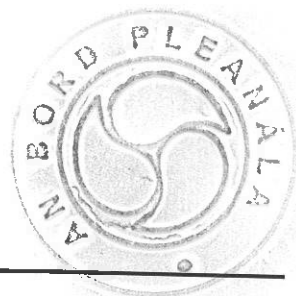
**Reason:** In the interest of sustainable waste management.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 20<sup>th</sup> day of January 2022.