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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Galway City Council**

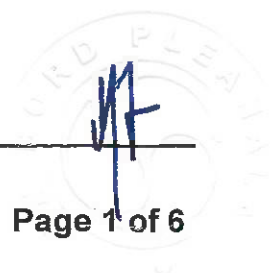
**Planning Register Reference Number: 20/287**

**Appeal** by Andrew Burke of Currageen, Old Dublin Road, Galway against the decision made on the 18<sup>th</sup> day of June, 2021 by Galway City Council to grant subject to conditions a permission to Currageen Construction Limited care of O'Donnellan and Company Architects of Ballard East, Barna, Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction two number two-storey dwellinghouses and all associated site works/site services, all at Currageen, Coast Road, 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 in area zoned Low Density Residential as set out in the Galway City Development Plan, 2017-2023, to the site layout, dwelling footprints, design and form, to the proposed measures for the collection and management of disposal of foul and surface water and to the proposed entrance arrangements, 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 or the visual amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and 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, as amended by the further plans and particulars submitted to the planning authority on the 25<sup>th</sup> day of May, 2021 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. 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 this regard, full details for labelling of the specific duct for use in pumping discharged waters under the railway track to the gravity sewer and pumping station located on its north side shall be submitted to, and agreed in writing with, the planning authority. All works in this regard shall be carried out at the applicant's expense to the satisfaction of the planning authority without obstruction to access to remaining ducts in the existing permanent wayleave providing for inspection and maintenance works to infrastructure within the site.

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

3. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

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

4. Plan, section and elevation drawings for the proposed entrance, to include details of materials, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The existing drystone walling and indigenous hedgerow along the roadside boundary of the site shall be retained except to the extent that its removal is necessary to provide for the entrance.

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



5. The tree and hedgerow survey shall be carried out by and a comprehensive landscaping plan shall be prepared by a suitable qualified person and shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. It shall include a comprehensive scheme of landscaping and boundary treatment providing for the retention in so far as is possible, except as to provide for the entrance, existing drystone walling and indigenous hedgerows, provision for reassembly of walling and supplementary planting as appropriate, and measures for protection during the construction stage. The agreed landscaping scheme shall be implemented within the first planting season following completion of construction of the dwellings.

**Reason:** In the interest of visual and natural amenities of the area and of orderly development.

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 and which shall include slate or Blue black or dark grey roof tiles and a painted render in a mute finish.

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

7. The garages shall be used for purposes incidental to the residential use of the main dwelling and shall not be sold, sublet or used for commercial purposes without a prior grant of planning permission.

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





8. Site development and building works shall be carried out only between the hours of 0700 to 1900 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.

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, "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. 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 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.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 20<sup>th</sup> day of December 2021.

