

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 22/40

Appeal by Tanya and James Kilraine of Dysart House, 41 Sea Road, Galway against the decision made on the 30th day of June, 2022 by Galway City Council to grant subject to conditions a permission to Noel and Roisín Howard care of McGarry Moon Architects of 9 Fallaghogey Road, Kilrea, County Londonderry, Northern Ireland in accordance with plans and particulars lodged with the said Council.

Proposed Development: Alteration of existing storey and a half dwelling to two and a half storey dwelling with single storey extension and associated site works at 1 Father Griffin Avenue, Galway City.

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.

Reasons and Considerations

Having regard to the residential land use zoning of the site, to the prevailing pattern and character of existing development in the vicinity and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, or negatively affect the character of the Crescent/Sea Road Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Due to the size and scale of the stairwell window and its proximity to the boundary with number 41 Sea Road, the Board was not satisfied that the perception and potential for overlooking has been adequately addressed, the Board therefore considered that the window should be screened by vertical louvres or such other similar design solution. Furthermore, the Board noted the Inspectors recommendation under condition number 4 which allowed for slurred brick as an option for the wall finishes and considered that a render finish would better respect and enhance the character and special interest of the Architectural Conservation Area.



Conditions

1. The development shall be carried out completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars submitted to the planning authority on the 13th day of June 2022, 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 with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

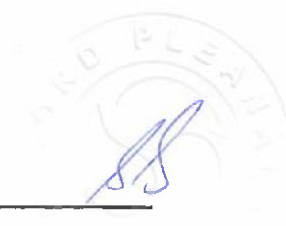
Reason: In the interest of clarity.

2. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension 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.

3. The first-floor stairwell window shall be screened by vertical louvres or other such design solution, to be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of protecting residential and visual amenities.



4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. External wall finishes shall comprise render (neutral colour), unless otherwise agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. The site shall be landscaped, using only indigenous deciduous trees and hedging species, with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential amenity.




7. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

8. Construction and demolition 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 noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.



Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 18th day of July 2023.