



An
Bord
Pleanála

Board Order
ABP-314613-22

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 22/77

Appeal by Claire MacLoughlin care of David Mooney of 14 Old Farm Road, Cloughjordan, County Tipperary against the decision made on the 16th day of August, 2022 by Galway City Council to grant subject to conditions a permission to Sean Costelloe care of O'Neill O'Malley Architecture of Technology House, Galway Technology Park, Parkmore, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: (A) Demolition of existing two-storey above basement dwelling house and (B) construction of a new replacement dwelling house three storeys above basement with amendment to existing vehicular access and all ancillary site works at 1A Dr. Mannix Road, Salthill, Galway City, as revised by the further public notices received by the planning authority on the 22nd day of July, 2022.

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 Galway City Development Plan 2023-2029, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would be in accordance with the zoning objective for the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 5th day of July, 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 in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The front elevation of the proposed dwelling house and the front boundary wall shall be as shown in the originally submitted plans, except for the car port canopy which shall be omitted.
 - (b) The proposed second floor living room shall have a floor-to-ceiling height of 2.5 metres and the parapet height over this room shall be 25.67 metres over datum. Any consequential changes of this alteration in floor-to-ceiling height for the proposed dwelling house shall be made explicit.

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 interests of visual and residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling house, boundary treatments, and paved surfaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health.

5. The footpath adjoining the proposed vehicular access to the site shall be dished in accordance with the requirements of the planning authority.

Reason: In the interest of pedestrian safety.

6. 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 or public holidays. Deviation from these times shall 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.

7. The construction of the proposed 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 proposed development, including noise management measures and off-site disposal of construction/demolition waste.

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

8. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:200 showing –
- (i) existing trees, specifying which are proposed for retention as features of the site landscaping,
 - (ii) the measures to be put in place for the protection of these landscape features during the construction period,

- (iii) the species, variety, number, size and locations of all proposed trees and shrubs, and
 - (vi) hard landscaping works specifying surfacing materials and finished levels.
- (b) Specifications for mounding, levelling, cultivation, and other operations associated with plant and grass establishment.
- (c) A timescale for implementation.

All planting shall be adequately protected from damage until established. 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.

Reason: In the interests of residential and visual amenity.

9. The proposed dwelling house shall be used as a single dwelling only.

Reason: In the interest of residential amenity.



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

Dated this 11th day of July 2023.

