



An  
Bord  
Pleanála

**Board Order**  
**ABP-316298-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 22/220**

**Appeal** by Mary Mahon care of James Roche, Consulting Engineer of 16 Forster Street, Galway against the decision made on the 23<sup>rd</sup> day of March, 2023 by Galway City Council to grant subject to conditions a permission to Millway Properties Limited care of Daniel Melia, Consulting Engineer of Collinamuck, Rosscahill, County Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (a) Retention of existing two-bedroom apartment at 1<sup>st</sup> and 2<sup>nd</sup> floor level, (b) change of use of the ground floor from office to an apartment, (c) construction of a single storey and two-storey extension to the rear, (d) alterations to front elevation and all ancillary site works, all at 180 Bohermore, 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.**

## Reasons and Considerations

Having regard to the residential zoning objective pertaining to the site within the designated Inner City residential area, the policies and objectives of the Galway City Development Plan 2023-2029, specifically Policy Objective 3.6 regarding Sustainable Neighbourhoods-Inner Residential Areas, and the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2023), specifically Section 3.3.1, to realise opportunities for adaptation, reuse and intensification of existing buildings and for incremental brownfield and infill development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area and would be acceptable in terms of design and layout. 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 24<sup>th</sup> day of February, 2023, 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. Prior to commencement of the development the developer shall agree specific proposals for the boundary treatment of the site with the planning authority to protect the privacy and amenity of existing adjacent properties.

**Reason:** In the interests of clarity and residential amenity.

3. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

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

4. The first-floor balcony area on the rear elevation shall be provided with side perimeter screens of either solid material or obscured toughened glass along the northeast and southwest perimeter and shall have a minimum height of 1.8 metres.

**Reason:** In the interest of protecting residential amenities and the proper planning and sustainable development of the area.

5. 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 traffic management, including timing and routing of construction traffic, measures to obviate queuing of construction traffic, details of materials and staff compounds, details of hoardings and security fencing, intended construction practice for the proposed development, including noise, dust and vibration mitigation measures and off-site disposal of construction/demolition waste. A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

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

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

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

7. The developer shall enter into water and wastewater connection agreements with Uisce Éireann prior to commencement of development.

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

8. 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 amenities of property in the vicinity.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenities.

10. Prior to commencement of development, the developer shall agree details of bin storage to serve the two apartment units in accordance with the requirements of the planning authority.

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

11. 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.



Mick Long

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board

Dated this *2<sup>nd</sup>* day of *August* 2024