



An
Bord
Pleanála

Board Order ABP-316524-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 23/39

Appeal by John Hickey care of Grady Architects of 3 Cul d'Ean, Altamount Street, Westport, County Mayo against the decision made on the 5th day of April, 2023 by Galway County Council to grant subject to conditions a permission to David and Gemma Issott care of Hanley Taite Design Partnership of Virginia Shopping Centre, Virginia, County Cavan in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of part of ground floor level from previously granted retail/commercial use (planning register reference number 06/4983) to use as a restaurant. Change of use of first floor level from previously approved office/commercial unit (planning register reference number 06/4983) for use as a guest house. Formation of a new fire escape staircase internally forming a new fire escape door leading to car park of adjoining property in applicant's family ownership. Installation of a lift serving all floors, including basement to improve accessibility. Provide additional four number roof lights, and a new window overlooking internal courtyard. Retention of attic level to form guesthouse bedrooms and communal areas. Retention of pitched roof connection over previously granted flat roof area (planning register reference number 06/4983) linking granted pitched roofs together. Formation of drainage and services connections independent to rest of building, and provide carparking, bicycle parking, and refuse storage at basement level. Gross

floor space of proposed works: 1,319.14 square metres. Gross floor space of work to be retained: 470.6 square metres, all at Cross Street, Athenry, County Galway.

Decision

GRANT permission for the above 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 C1 Town Centre land use zoning that pertains to the site, the brownfield, vacant and underutilised nature of the building, the town centre location where restaurant and guest house uses are permissible in principle, and having regard to the policy objectives as set out within the Athenry Local Area Plan 2024-2030, specifically Policy Objective ASP 11 (a) and (b), in terms of the town centre being the primary focus for commercial development and promoting complementary mixed uses, and the Galway County Development Plan 2022-28, specifically Objectives CGR 8 and CSA 3 in relation to promoting town and village centre development, encouraging complementary non-retail uses and reducing vacancy, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed to be retained would be acceptable at this location, would not adversely impact upon adjacent property owners in terms of their ability to redevelop and reutilise their properties, many of which are vacant and underutilised, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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.

Reason: In the interest of clarity.

2. This permission relates to that as advertised under the public notices of the planning application.

Reason: In the interest of clarity.

3. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

- (b) 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.

Reason: In the interest of proper planning and sustainable development.

4. Details of the external signage shall be agreed in writing with the planning authority prior to the occupation of the restaurant and guest house uses.

Reason: In the interest of architectural heritage.

5. The developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann prior to commencement of development.
Reason: In the interest of public health.
6. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 and 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 Waste 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 interest of public safety and residential amenity.

8. All public roads and footpaths shall be maintained free from dirt and debris during construction. Any damage to the public road or footpath shall be repaired by the developer at their own expense to the satisfaction of the planning authority.

Reason: In the interest of public safety and the amenities of the area.



Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 15th day of November 2024.