

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 23/83

Appeal by Newcastle Park Residents' Association care of Greg Costelloe of 20 Newcastle Park, Galway against the decision made on the 23rd day of May, 2023 Galway City Council to grant subject to conditions a permission to the Health Service Executive care of MKO of Tuam Road, Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of an existing single storey Temporary Emergency Department (TED) building with plant room overhead (gross floor area 1,384 square metres) and associated alterations to internal campus access road and parking layout. Retention of car park comprising 24 number spaces adjacent to public analyst's lab. The provision of a single storey Electrical Energy Centre (gross floor area 281 square metres), including transformer and LV switchgear all located on the east side of the campus and the provision of associated site lighting. The provision of the Electrical Energy Centre building will require alterations to the existing car park adjacent to Newcastle Park, comprising the creation of a new vehicular entrance to the car park, relocation of entrance barrier, alterations to boundary wall and railings and ticketing system and reconfiguration of the remaining parking layout. All other associated site development works and services necessary to facilitate the proposed development, all at University Hospital Galway, Newcastle 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.

Reasons and Considerations

Having regard to the design, scale and layout of the development proposed to be retained and proposed development, the pattern of development in the area, and noting that the development to be retained and the proposed development, including the site of the proposed Electrical Energy Centre building is located within the campus of University Hospital Galway, the conclusions of the Noise Impact Assessment Report and the mitigation measures contained therein, the provisions of the Galway City Development Plan 2023-2029, including the 'CF' land-use zoning applicable to the site, and Policy 7.8 (Healthcare Facilities) and the planning authority's assessment, it is considered that subject to compliance with the conditions set out below, the development to be retained and proposed development would not seriously injure the residential amenity of property in the area, would not negatively impact the visual amenities of the area, would not result in significant traffic impacts in the vicinity and would not have a significant impact on ecology or on European sites in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. With regards to the Noise Impact Assessment, the following shall be applicable:
 - (a) Prior to the commencement of development, a suitably qualified person/company shall be appointed to implement and monitor the noise mitigation measures outlined, which shall be implemented in full.
 - (b) Upon completion of development, a report shall be submitted from a suitably qualified person/company to the planning authority, certifying that noise mitigation measures have been implemented in full, and a noise monitoring report shall be submitted demonstrating compliance.
 - (c) Six months after the commencement of operations at the Electricity Energy Centre, an updated report demonstrating the development's compliance with the outlined noise generation levels and the noise mitigation measures, shall be submitted for the written agreement of the planning authority.

Reason: To protect the amenity of the area.

3. Details of the materials, colours and textures of all the external finishes shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity

4. 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 the "Best practice guidelines for the preparation of resource & waste management plans for construction & demolition projects", published by the EPA, 2021. The plan shall include details of waste to be generated during site clearance and construction phases, including potential contaminated soil, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

5. The construction of the development (i.e. of the proposed EEC building) 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:
- (a) The location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) The location of areas for construction of site offices and staff facilities;
 - (c) Details of site security fencing and hoardings;
 - (d) Details of on-site car parking facilities for site workers during the course of construction;
 - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
 - (i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

- (j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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 interest of amenities, public health and safety.

- 6. Water supply and 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.

- 7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual amenity.



8. The developer shall install five number functional electric vehicle charging points within the car park of Site 02 or 03. Details of how it is proposed to comply with these requirements shall be submitted to and agreed in writing with the planning authority within three months of the date of this Order.

Reason: In the interest of sustainable transportation.


9. 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 amenities of property in the vicinity.

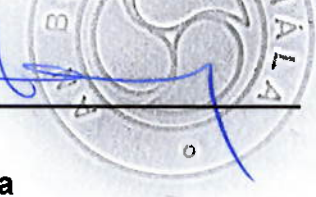


10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.



Martina Hennessy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board



Dated this 5th day of September 2024