

An
Bord
Pleanála

Board Order ABP-318920-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 23/236

Appeal by Leas na Mara Management Company CLG care of Open Agency Property Management, Unit 13 Glenrock Business Park, Boher na Mine, Galway against the decision made on the 19th day of December, 2023 by Galway City Council to grant permission subject to conditions to Teddy House Limited care of Declan Commons Planning Workshop of 17 Cornaroyna Manor, Ballinrobe, County Mayo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for development which consists of an extension to existing creche facility creating an additional 213 square metres floor area and 35 square metres outside balcony space all at first floor level. Development will increase capacity from 40 to 93 children. Development to include any ancillary works, site works, landscaping and services all at 31 Leas na Mara, Ballymoneen 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 provisions of the Galway City Development Plan 2023-2029, the established use of the site as a childcare facility, and the location, design and scale of the proposed extension, 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, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 An Bord Pleanála on the 20th day of February 2024, 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 completed in accordance with agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development details of the operating times and dates of the childcare facility shall be submitted to and agreed in writing with the planning authority.

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

3. Details of the external finishes of the proposed extension to include details of materials, texture and colour 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. The privacy screen to the terrace area shall be 1.8 metres in height above the finished floor level of the terrace. Details of construction and materials, which shall be certified by a suitably qualified person, shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interests of privacy, proper planning and sustainable development.

5. All drainage arrangements, including the attenuation and disposal of surface water, shall be in accordance with details to be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of proper and efficient drainage.

6. Prior to commencement of the development the developer shall submit to and agree in writing with the planning authority an Operational Stage Mobility and Traffic Management Plan in accordance with the requirements of the planning authority. The Plan shall be implemented in accordance with this agreement and shall be updated annually, in agreement with the planning authority.

Reason: In the interests of traffic safety and to protect 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 on Saturdays and not 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.

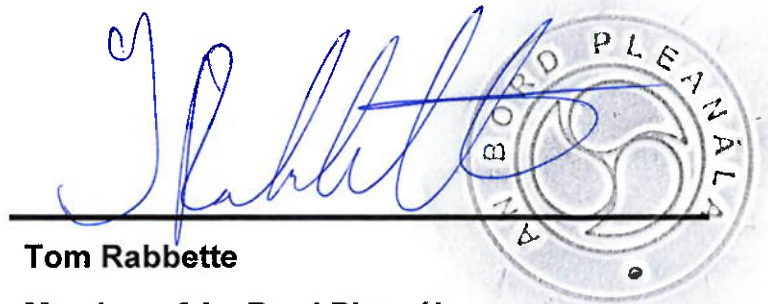
Reason: To safeguard the amenities of property in the vicinity.

8. The construction of the development shall be managed in accordance with a Construction and Demolition Management Plan, which shall be submitted to and agreed in writing with the planning authority prior to commencement of the development. The plan shall provide details of the intended construction practice for the development including measures for the management of construction traffic, noise management measures, surface water management and off-site disposal of construction/demolition waste.

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

9. 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 the 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 the Board 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.

A handwritten signature in blue ink is written over a circular stamp. The stamp contains the text "AN BORD PLEANÁLA" around the perimeter and a stylized logo in the center. The signature is written in a cursive style.

Tom Rabbette

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 24th day of June 2024