

An
Bord
Pleanála

Board Order ABP-318927-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 23/60098

Appeal by Ann Murphy of 85 Fr. Burke Road, The Claddagh, Galway against the decision made on the 20th day of December, 2023 by Galway City Council to grant subject to conditions a permission to Ann Smyth care of Tom O'Toole of Mulroog East, Ballinderreen, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolish existing single storey rear extension to dwellinghouse. Permission to construct a new part single storey and part two-storey extension to the rear of the existing dwellinghouse and all associated site works and services, all at 86 Father Burke Road, The Claddagh, 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

The proposed development, as set out, would comply with Section 11.3.1 (l) (Residential Extensions) of the Galway City Development Plan 2023-2029 namely in that the design and layout of the proposed extension complement the character and form of the existing building and has regard to its context and adjacent residential amenities. It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or the residential amenities of properties in the vicinity, and 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 received 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to residential use only, as specified in the lodged documentation, unless otherwise authorised by a prior grant of planning permission.

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

3. Prior to completion of the proposed extension and use of the terrace area, the proposed side screens shall be erected in accordance with the plans and particulars submitted with the planning application. The non-amenity roof area shall be accessible for maintenance purposes only. Photographic detail of these completed works shall be submitted for the written agreement of the planning authority.

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

4. (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. Surface water shall discharge to a suitably designed soakaway in the rear garden.
- (b) No part of the proposed development, including rainwater goods, shall overhang any adjoining property.

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

5. The developer shall ensure that all construction activity within the site shall comply with the following:
- (a) All construction activity shall be restricted to the following:
- (i) Between 0700 hours and 1800 hours Mondays to Fridays.
 - (ii) Between 0900 hours and 1300 hours on Saturdays, unless otherwise agreed in writing with the planning authority.
 - (iii) No works shall take place on Sundays, Bank Holidays or Public Holidays.
 - (iv) The site may be opened 30 minutes prior to the above outlined times in order to facilitate the arrival of workers, however no activity shall take place during this time.

- (v) Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.
- (b) In the event that rock breaking is required on site, a schedule of works, including mitigating measures and the hours and days of operations, shall be submitted for the written agreement of the planning authority.
- (c) Any alterations to public services, public areas or utilities necessitated by the proposed development shall be carried at the developer's expense having firstly obtained the agreement in writing of the planning authority or other public bodies responsible for utilities.
- (d) All works shall be carried out in accordance with the requirements for Site Development Works for Housing Areas as issued by the Department of the Environment, Heritage and Local Government, unless required otherwise by the planning authority in which case the standards of the planning authority shall apply.

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

6. 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:
- (a) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.
 - (b) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
 - (c) Details of off-site disposal of construction/demolition waste.
 - (d) Details of how it is proposed to manage excavated soil.
 - (e) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
 - (f) 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. The developer shall provide contact details for the public to make complaints during construction and provide a record of any such complaints and its response to them, which shall also be kept for inspection by the planning authority.

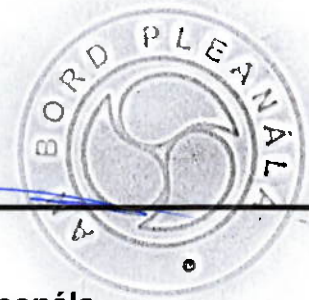
Reason: In the interest of amenities, public health and safety.



Liam Bergin

Member of An Bord Pleanála

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



Dated this 20th day of August 2024.