



An  
Bord  
Pleanála

## Board Order ABP-322029-25

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 24/60218**

**Appeal** by Stefanescu Andrei of 22 Garrai Sheain, Roscam, Galway against the decision made on the 10<sup>th</sup> day of February, 2025 by Galway City Council to grant permission subject to conditions, to Bartra Property (Galway NH) Limited care of Thornton O'Connor Town Planning of 1 Kilmacud Road Upper, Dundrum, Dublin for the proposed development.

**Proposed Development:** The site comprises part of a Protected Structure (RPS reference number 9003), decorative cast-iron gates, railings and adjoining wall) at the entrance to Lenaboy Park at the north-eastern corner of the site. No works are proposed to the protected structure.

Works are also proposed on the R864 Upper Salthill Road and pavements south-east of the site boundary to include a raised pedestrian route at the entrance to the site, and all associated signage, road markings and services. A potable watermain pipe connection is also proposed to the existing Irish watermain pipe network on the R864 Upper Salthill Road. The site area, roadworks and water supply infrastructure will provide a total application site area of circa 0.5472 hectares.

The development will principally consist of the construction of a part 4 to part 5 number storey Nursing Home providing 154 number bedrooms (157 number

bedspaces) and ancillary facilities (total gross floor area measures circa 8,217 square metres).

The development will also include: the widening of the existing vehicular entrance; 30 number car parking spaces (including two number accessible spaces); bicycle parking; set-down area; loading bay; pedestrian access for emergency services at the south-eastern corner of the site from Upper Salthill Road; bin store; ESB sub-station, switch room and standby generator; PV panels; lift overrun; green roofs; fixed roof access ladder; lighting; roof plant; signage; balconies; boundary treatments; hard and soft landscaping; and all other associated site works above and below ground all at a 0.531 hectare site previously comprising: (a) the former O'Connor's Warwick Hotel at the corner of Upper Salthill Road and the entrance to Lenaboy Park; (b) 152 Upper Salthill Road (the former Oasis Nightclub); (c) 154 Upper Salthill Road (former commercial building) and (d) 156 and 158 Upper Salthill Road, Galway as revised by further public notices received by the planning authority on the 25<sup>th</sup> day of October, 2024.

## **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, including the zoning objectives for the site ('CI - Enterprise, Industry and Related Uses' and 'R – Residential'); its urban location in proximity to a wide range of community services and social facilities; the pattern and character of existing development in the area; the planning history of the site and its surrounding area; and the scale, design and layout of the proposed development on what is a centrally-located, urban, brownfield site; it is considered that, subject to compliance with the conditions set out below, the proposed development would assist in delivering

compact growth, regeneration, revitalisation and consolidation of an urban infill site, at an appropriate scale; would be acceptable in terms of pedestrian and traffic safety; and would not seriously injure the amenities of surrounding properties or seriously detract from the character or built heritage of the area. The proposed development 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 the planning authority on 11<sup>th</sup> day of October 2024 and on the 16<sup>th</sup> day of January 2025, respectively, 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 carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2.
  - (a) The mitigation measures contained in the submitted Natura Impact Statement (NIS), Ecological Impact Assessment (EclA) and Construction Management Plan (CMP) shall be implemented in full.
  - (b) An Ecological Clerk of Works with suitable experience shall be appointed to ensure that all mitigation measures outlined in the Natura Impact Statement and the Construction Environmental Management Plan shall be carried out.

**Reason:** To protect the integrity of European Sites and biodiversity.

3. (a) Details of the materials, colours and textures of all the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The stairwell windows for the permitted development shall be glazed in obscure glass.

**Reason:** In the interest of residential and visual amenity.

4. Prior to the commencement of development, the developer shall submit to and agree in writing with the planning authority, a specification and method statement covering all works to be carried out to the protected structure, to ensure the development is carried out in accordance with good conservation practice.

**Reason:** In the interest of the protection of architectural heritage in accordance with the provision of the Architectural Heritage Protection Guidelines for planning authorities.

5. (a) A Road Safety Audit (Stages 1 and 2) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, in order to demonstrate that appropriate consideration has been giving to all relevant aspects of the development including in accordance with the road design standards of Transport Infrastructure Ireland.
- (b) The measures recommended by the Auditor shall be undertaken, unless the planning authority approves any departure in writing. A detailed drawing(s) showing all accepted proposals and a feedback report should also be submitted.

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

6. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

7. A final comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

This scheme shall include the following: -

- (a) Details of all proposed hard surface and/or permeable surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development. The car parking area(s) shall be constructed using permeable materials to allow for rainwater to soak into the ground.
- (b) Proposed locations of trees and other landscape planting in the development, including details of proposed species and settings.
- (c) Details of proposed street furniture, including bollards, lighting fixtures and seating.
- (d) Details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.
- (e) The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.
- (f) The developer shall employ a suitably qualified Landscape Architect to oversee the implementation and certification of the Landscape Works.

The appointed person shall submit a report of certification upon completion of the Landscaping of the site to the planning authority which shall be agreed in writing.

**Reason:** In the interest of visual amenity.

8. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interest of sustainable drainage and/or wastewater collection.

9. Prior to the commencement of development the developer shall enter into a connection agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

10. The construction of the development shall be managed in accordance with a final Construction Management Plan (CMP), 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) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.
- (b) Location of areas for construction 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) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority.
- (j) A detailed construction traffic management plan, including details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

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

11. The development shall be carried out and operated in accordance with the provisions of the Mobility Management Plan (MMP) submitted to the planning authority on the 11<sup>th</sup> day of October 2024. The specific measures detailed in Section 7 of the MMP to achieve the objectives and modal split targets for the development shall be implemented in full upon first occupation. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first five years following first occupation of the development and shall submit the results to the planning authority for consideration and placement on the public file.

**Reason:** To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

12. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency'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 the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the 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 proper planning and sustainable development.



13. (a) Details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.
- (b) The developer shall arrange for the modification of lighting levels and beam direction in accordance with any requirement of the planning authority.

**Reason:** In the interest of residential amenity.

14. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interest of visual amenity.

15. 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.

16. 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.

  
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Mary Gurrie

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this 16 day of June 2025