

An
Coimisiún
Pleanála

Commission Order
ABP-322156-25

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 2560002

Appeal by Timothy and Ann Walsh of Rustic Lodge, Ballybane Road, County Galway against the decision made on the 3rd day of March, 2025 by Galway City Council to grant permission, subject to conditions, to Marcin Zymek care of Leoni Turner Architects of 3 Saint Dominick's Road, The Claddagh, Galway for the proposed development.

Proposed Development: Permission for development which consists of change of use from a residential dwelling house to a commercial guesthouse, alterations to the existing front entrance, a first-floor extension to an existing ground floor single storey, alterations to all elevations, a new shed and all associated site works at Ashwood, Ballybane 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 information submitted with the application and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development on a fully serviced site would comply with the zoning objective for the site and the relevant policies as set out in the Galway City Development Plan 2023-2029, would not seriously injure the visual or residential amenities of the area 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, 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. Notwithstanding the provisions of planning legislation, no change in use of the premises from a commercial bed and breakfast/guest house to a residential club, hotel, or hostel or to any other use shall take place without the prior grant of planning permission.

Reason: To protect the residential amenities of the area.

3. The first-floor north elevations to ensuite bathroom windows shall be fitted with obscure glass.

Reason: In the interest of privacy and residential amenities of adjacent property.

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 roof, paved areas or otherwise shall discharge onto the public road or adjoining properties.

(b) Water supply and drainage arrangements, including 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.

5. 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.

Reason: In the interest of visual amenity.

6. Prior to the commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann 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.

7. Details of external signage shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

8. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

9. A plan containing details for the management of waste (and, in particular, recyclable materials) including the provision of facilities for the storage, separation and collection of the waste 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.

10. Site development and building works shall be carried out between the hours of 0700 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 shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

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

11. 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 his/her own expense to the satisfaction of the planning authority.

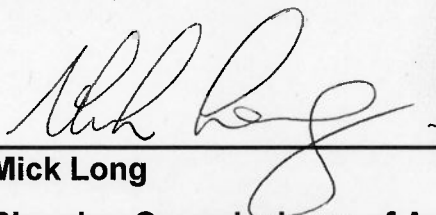
Reason: In the interest of public safety.

12. (a) The developer shall submit a Traffic Management Plan to include details of car parking design, layout and access/egress arrangements to the planning authority for agreement in writing prior to the commencement of development.
- (b) The communal parking area serving the guesthouse shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport and safety.

13. 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.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this ^{1st} day of *July* 2025.