



Board Direction

Ref: PL07.246357

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 21st, 2016.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, subject to the amendments to the Inspector's draft reasons, considerations and conditions set out below.

Reasons and Considerations

Having regard to:

- the provisions of the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government (2005) in which it is stated that seven years would be an appropriate period for a planning condition restricting the occupancy of rural houses (Ref. Appendix 1);
- the provisions of the current Galway County Development Plan in particular policies RHO 3, and RHO 13 which require Section 47 agreements for a period of seven years,
- the planning history of the subject house under planning register reference numbers 99/3053 and 02/2111 where condition 1 restricted the occupancy of the house in perpetuity to the applicant, or to certain other persons by written agreement with the planning authority, and
- the time period of approximately fourteen years that has elapsed since the construction and occupation of the house,

it is considered that, subject to compliance with the conditions set out below, it would not be appropriate to further restrict the occupancy of the dwelling, the proposed removal of the enurement clause and the proposed retention of the shed would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience, would not set a precedent for similar such development, and would not be contrary to the proper planning and sustainable development of the area.

CONDITIONS

- 1 a) The development shall be retained in accordance with the plans and particulars lodged with the application.
- b) The shed shall not be used for human habitation and shall only be used for domestic storage for uses incidental to the dwellinghouse.

Reason: In the interest of clarity.

Board Member: _____ Date: June 21st, 2016
Nicholas Mulcahy