



An
Bord
Pleanála

Board Direction
BD-000526-18
ABP-300662-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/06/2018.

The Board decided to make a split decision, to

- 1.1.1. **GRANT** permission for the proposed porch of 2.67sq.m. to the front elevation of the existing dwelling, subject to the following reasons and conditions:

Reasons and Considerations

Having regard to the pattern of development in the vicinity and the nature, scale and design of the proposed extension, it is considered that the proposed development, subject to compliance with the conditions set out below would not seriously injure the residential amenities of the existing or neighbouring property. 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 submitted on the 20th day of November 2017, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The conditions of Planning Permission 01/1656, including condition 11, shall continue to apply to the dwelling to which it is proposed to erect the subject porch.

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

1.1.2. **REFUSE** permission for the removal of Condition no. 11 from Planning Authority reg. ref. 01/1656, as repeated in condition no. 10 of the subject application

1. The proposed development which seeks the removal of the lifetime inurement clause imposed by condition no. 11 of Planning Authority reg. ref. 01/1656 does not comply with Objective RHO-13 of the Galway County Development Plan 2015-2021 which requires that a period of seven years of full time occupancy by the applicant elapse before a lifetime inurement clause can be considered to be expired. The applicant of reg. ref. 01/1656 has not demonstrated a period of seven years of full time occupancy of the subject dwelling and therefore does not comply with Objective RHO-13. The proposed removal of the lifetime inurement clause is not in accordance with the development plan and therefore is not in keeping with the proper planning and sustainable development of the area.

Board Member:

Date: 19/06/2018

Terry Ó Niadh

