



An
Bord
Pleanála

Board Direction
BD-006849-20
ABP-307826-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/11/2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the pattern of permitted development in the area, to the provisions of the Galway City Development Plan 2017-2023, and to the layout and design as submitted, it is considered that, subject to compliance with the conditions set out below, the development for which retention permission is sought would not seriously injure the residential or visual amenities of adjoining properties, and would be acceptable in terms of pedestrian and traffic safety. The development for which retention permission is sought 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 to An Bord Pleanála on the 5th day of August 2020, 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. The development shall be amended in accordance with the details as submitted to An Bord Pleanála on the 5th day of August 2020 as follows:
 - (a) Removal of existing timber patio deck, railing and stairs
 - (b) Replacement stairs to link existing balcony to lower garden
 - (c) Convert timber patio deck area for form an extended part of the lower garden
 - (d) Lower the timber fence to rear of No. 188 Upper Salthill by 0.3m
 - (e) Plant native trees between the converted lower garden area and the rear of No. 188 Upper Salthill.
 - (f) Install a 1.8m high opaque glass privacy screen to south west and north eastern edges of the balcony.

All of the above works shall be carried out within 6 months of this grant of planning permission and photographic evidence showing the completed works shall be submitted to the Planning Authority within this timeframe.

Full details of the proposed planting scheme, prepared by a suitably qualified person, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule

2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling and in the interest of the amenities of the area.

4. 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 within six months of the date of this Order 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.

Board Member

Date: 02/11/2020

Chris McGarry