

**An
Bord
Pleanála**

**Board Direction
BD-010434-22
ABP-311096-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/04/2022.

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 relevant provisions of the Galway County Development Plan, 2015-2021, to the established pattern and character of development in the vicinity of and on the subject site, to the planning history associated with the subject site and to the information submitted with the planning application and appeal, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of properties in the area, would be acceptable in terms of pedestrian and traffic safety and convenience and would not be prejudicial to public health. The development proposed for retention 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, and further unsolicited

information submitted to the Planning Authority on the 24th June 2021 and 08th July 2021, and to An Bord Pleanala on the 11th October 2021, 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.

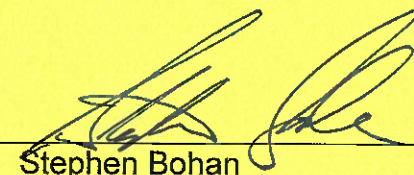
Reason: In the interest of clarity.

2. The effluent treatment and disposal system shall be maintained in accordance with the details submitted to the planning authority and in accordance with the requirements of "Wastewater Treatment Manual: Treatment Systems for Single Houses, (p.e. less than or equal to 10)", published by the EPA in 2009. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity and public health.

Note: In deciding not to include the Inspectors Condition no. 2 the Board noted the restrictions on exemption under Article 9(1)(a)(viiC) of the Planning & Development Regulations, as amended, and considered that the development proposed to be retained does not comprise development that would be likely to have an adverse impact on an area designated as a natural heritage area. Furthermore, it was noted that bats are protected under s.50 of the Wildlife Act.

Board Member


Stephen Bohan

Date: 04/04/2022