

An  
Bord  
Pleanála

**Board Direction**  
**BD-012634-23**  
**ABP-313659-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/06/2023.

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 established pattern and character of the area and to the Galway City Development Plan 2023-2029 according to which the zoning objective for the subject site is R: 'To provide for residential development and for associated support development which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods', it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential amenities of adjoining properties, would not seriously injure the visual amenities of the area, would provide a satisfactory standard of residential amenity for the occupants and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be 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 and the development proposed to be retained shall be in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Balustrading along the east and west of the first-floor terrace shall be fitted with obscure glazing to a height of 1.6 metres above the floor level. The works shall be completed within six months of the date of this Order and shall be certified by a suitably qualified engineer with a report and photographic evidence lodged with the planning authority for written agreement. Prior to commencement of these works, the developer shall submit and agree a revised plan, section and elevation drawings in writing with the planning authority.

**Reason:** In the interest of clarity and the protection of residential amenities of adjoining properties.

3. The dwelling shall be used as a single dwelling only and the first-floor terrace shall be used solely for purposes ancillary to the residential use of the dwelling and shall not be used for commercial purposes or human habitation, sublet, sold separately, or otherwise transferred or conveyed, except in combination with the dwelling.

**Reason:** In the interest of clarity, the amenities of the area and the proper planning and sustainable development of the area.

4. The developer shall submit to, and agree in writing with, the planning authority details of all the materials, textures and colours for the external facades, including fenestration, and shall implement the agreed works within six months of the date of this Order.

**Reason:** In the interest of residential amenities.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk, including in the basement area, shall comply with the requirements of the planning authority for such works and services.

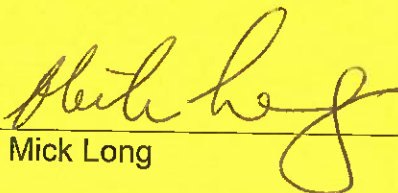
**Reason:** In the interest of public health.

6. The developer shall enter into water supply and wastewater connection agreements with Irish Water prior to commencement of development.

**Reason:** In the interest of public health.

Regarding issues raised in relation to boundary issues, the Board noted the provisions of Section 34 (13) of the Planning and Development Act 2000 wherein a person shall not be entitled solely by reason of permission under this section to carry out any development.

**Board Member**

  
Mick Long

**Date:** 28/06/2023

