

An
Bord
Pleanála

Board Direction
BD-011373-22
ABP-313795-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/10/2022.

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 City Development Plan 2017-2023 including the zoning of the site for residential development, to the established pattern and character of development in the area and to the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of residential development in the area and would constitute an appropriate form of extension development at this existing dwelling. 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, 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 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.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. 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.

5. Site development and building works shall be carried out only between the hours of 0800 to 1800 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Any deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

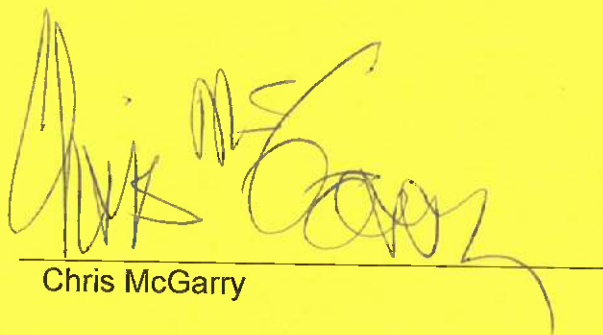
Reason: In order to safeguard the residential amenities of property in the vicinity.

6. A suitably qualified engineer shall be appointed during the construction phase ensure that the fabric of boundary walls/party walls are protected during the construction of the proposed development.

Reason: In the interest of orderly development.

Note: the Board noted condition no. 2 as drafted by the Inspector and which recommended the omission of the first floor extension. In considering this issue, the Board had regard to the totality of the documentation on file, including the submission of the appellant and the report of the planning authority on the application as lodged. The Board determined that the proposed first floor extension was modest in scale and would not seriously injure the amenities of adjoining properties by reason of overbearance, overlooking or overshadowing and would constitute an acceptable form of development at this location. In this regard, the Board agreed with the assessment of the planning authority that the first floor extension of the proposed scheme was acceptable and concluded that the attachment of a condition omitting it would not be warranted.

Board Member



Chris McGarry

Date: 13/10/2022

