



An
Bord
Pleanála

Board Direction
BD-012670-23
ABP-315925-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/06/2023.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the zoning objectives on the site as provided in the Galway City Development Plan 2023-2029, in consideration of the pattern of usage in the immediate surroundings of the development and in view of the limited nature of the development proposed, in deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the part conversion of this private residence to small enterprise use by the occupier of the dwelling was at a scale that would not unduly interfere with the primary use of the dwelling or prevailing residential amenity. The proposed development would therefore be in compliance with the zoning objective as set out in section 11.2.8 of the Development Plan and would be consistent with the principles of proper planning and sustainable development.

Conditions

- | | |
|----|--|
| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the appeal on February 27 th , 2023, 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 |
|----|--|

	<p>planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity</p>
2.	<p>The ancillary office shall not be sold, conveyed or leased separately from the main residence.</p> <p>Reason: To prevent unauthorised development</p>
3.	<p>Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or projecting elements other than those detailed in the planning application shall be displayed or erected on the building or within the curtilage of the site, unless authorised by a further grant of planning permission.</p> <p>Reason: In the interests of visual amenity</p>
4.	<p>Drainage arrangements for the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: in the interests of public health</p>
5.	<p>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 prior to the commencement of development 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</p>

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



Stephen Brophy

Date: 29/06/2023

