



An  
Bord  
Pleanála

**Board Direction**  
**BD-016385-24**  
**ABP-317804-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/05/2024.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to the established pattern and layout of residential development in the area and to the size and configuration of the application site and that of surrounding residential development, it is considered the first floor decking area proposed for retention, seriously injures and, would seriously injure the residential amenities of adjoining properties by reason of obtrusiveness and overlooking, and from noise disturbance associated with the use of the elevated decking area. Furthermore, if permitted, the proposed development would set and undesirable precedent for further similar development resulting in negative impacts on the residential amenities of the area. The proposed development would be contrary to the zoning objective R - Residential "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" as set out in the Galway City Development Plan 2023-2029, and to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for retention, the Board considered that the presence of the elevated decking area proposed for retention at first floor level would injure the established amenity and privacy of properties adjoining the site. The Board noted the proposed enclosure of the elevated deck by high screens on its boundaries as recommended by the Inspector. However, the Board did not agree that the provision of such screens would be sufficient to address the significant adverse impacts on existing residential amenity of adjoining properties arising from the provision of a deck/terrace at first floor level and refused permission for retention accordingly.

**Board Member**

  
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Stewart Logan

**Date:** 24/05/2024