



**An  
Bord  
Pleanála**

**Board Direction  
BD-018244-24  
ABP-319345-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/11/2024.

The Board noted the three separate elements to the planning application made to the local authority, and it considered the entirety of the application, de novo.

The Board decided to make a split decision, generally in accordance with the Inspector's recommendation

- (1) to refuse permission for a new vehicular access gate/opening onto Newcastle Road for the reasons and considerations marked (A) below,
- (2) to grant retention permission for minor alterations to the existing dwelling and to grant permission for the proposed extension to the rear of the existing dwelling for the reasons and considerations marked (B) below, under and subject to the conditions set out below.

### **Reasons and Considerations**

- (A) The Board was of the opinion that the proposed new vehicular access gate/opening onto Newcastle Road, would interfere with existing on-street parking, resulting in traffic conflicts and significant health and safety risks. The Board considered the proposal premature, pending the adoption of a local area plan for the management of vehicular, cycle and pedestrian traffic in the area.

(B) The Board accepted the Inspector's opinion that the proposed construction of the extension to the rear of the dwelling would not be seriously injurious to the amenities of the area or to the residential amenities of properties in the vicinity. The Board considered that the proposed extension would not result in inadequate usable private open space, and that it would be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be retained and completed in accordance with the plans and particulars submitted to the planning authority on 21 December 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 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 flat roof over the proposed ground floor extension shall not be used as an amenity terrace or balcony.

**Reason:** To protect the residential amenities of existing residential properties in the vicinity.

3. No part of the structure including gutters and eaves shall over sail any lands in separate ownership or impact upon the common boundary wall, unless with the written agreement of the adjoining owner(s).

**Reason:** In the interests of clarity and orderly development.

4. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

**Reason:** In the interest of traffic safety and to prevent pollution.

5. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

6. The developer shall ensure that all construction activity within this site shall comply with the following:

- i. All construction activity shall be restricted to the following:
  - Between 0800 hours and 1800 hours Monday to Friday
  - Between 0900 hours and 1300 hours Saturday unless otherwise agreed in writing with Galway City Council.
  - No works shall take place on Sundays, Bank Holidays or Public Holidays;
  - The site may be opened 30 minutes prior to the above outlined times in order to facilitate the arrival of workers, however no activity shall take place during this time.
  - Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.
- ii. Any alterations to public services, public areas or utilities necessitated by the development shall be carried at the developers expense having firstly obtained the agreement in writing of Galway City Council or other public bodies responsible for utilities.
- iii. All works shall be carried out in accordance with the requirements for "Site Development Works for Housing Areas" as issued by the



Department of the Environment, Heritage and Local Government  
unless required otherwise by Galway City Council in which case  
Galway City Council Standards apply.

**Reason:** In the interest of residential amenity and the proper planning and  
sustainable development

**Board Member:**

  
Mary Rose McGovern

**Date:** 19/11/2024