

An  
Bord  
Pleanála

**Board Direction**  
**BD-019275-25**  
**ABP-321281-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/03/2025.

The Board decided to issue a split decision and to  
Grant retention permission for the single storey extension to the front of the dwelling house and widening of the front entrance.

And to refuse retention permission for the remaining development that comprise:  
Extension to the rear  
External stairs  
Alterations to layout to incorporate two self-contained units

for the following reasons and considerations.

#### **Reasons and Considerations (1) – Grant retention permission in part**

Having regard to the information submitted with the application and the nature and scale of the proposed development for retention (single storey extension to the front of the dwelling house and widening of the front entrance), and having regard to the existing planning permission on site as permitted under Planning Reg. Ref. 19/274 it is considered that, subject to compliance with the conditions set out below, the proposed development for retention would comply with the zoning objective for the site and the policies with respect of residential extensions as set out in the Galway City Development Plan 2023– 2029, would not be injurious to the visual or residential



amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area

### **Conditions**

1. The elements of the development hereby granted shall be retained 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. (a) The site shall be landscaped in accordance with a comprehensive scheme of landscaping for the front garden details of which shall be submitted to and agreed in writing with the planning authority within 6 months of the date of this order. The agreed scheme shall be carried out and completed within 12 months of this order and shall be maintained in perpetuity.  
(b) The vehicular entrance shall be narrowed to 3m in width. Details of boundary treatment, to include reinstatement of the front boundary wall, shall be submitted to and agreed in writing with the planning authority.

**Reason:** In the interests of visual amenities and to comply with the provisions of planning policy for the area.

### **Reasons and Considerations (2) – Refuse retention permission in part**

1. The proposed development by virtue of the proposed design of the proposed rear and side elevation second floor/attic level box dormer window feature/projection and associated balcony/terrace and the proposed external metal stairs from first floor balcony would if permitted, be out of character with the existing dwelling and the prevailing design and pattern of adjoining



dwelling in this Established Residential Neighbourhood. The development, if permitted, would be contrary to Policy 3.6 Sustainable Neighbourhoods: Established Suburbs of the City Development Plan 2023-2029 to facilitate consolidation of existing residential development and densification where appropriate while ensuring a balance between the reasonable protection of the residential amenities and the character of the established suburbs and the need to provide for sustainable residential development and contrary to Section 11.3.1 (I) Residential Extensions of the City Development Plan which states the design and layout of extensions to houses should complement the character and form of the existing building, having regard to its context and adjacent residential amenities. The proposed development would detract from the visual and residential amenities of the existing dwelling and adjoining dwellings and constitute an undesirable precedent for similar type development in this area, would be contrary to the policies of the City Development Plan and would therefore be contrary to the proper planning and sustainable development of the area.

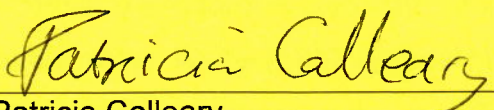
2. The development proposed by reason of the second floor/attic level balcony/terrace and external metal stairs from first floor balcony would enable undue overlooking of the private amenity spaces of adjoining properties and would not meet the requirements for the prevention of overlooking set out under Section 11.3.1 (d) Overlooking of the City Development Plan 2023-2029 which states that residential units shall generally not directly overlook private open space or land with development potential from above ground floor level by less than 11 metres minimum and SPPR 1 -Separation Distances of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (Department of Housing, Local Government and Heritage 2024) which states suitable privacy measures shall be designed into a residential development scheme to prevent undue overlooking of habitable rooms and private amenity spaces. The proposal development would therefore be contrary to these development standards, seriously injure the residential amenities of the property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3. The proposals for sub-dividing the existing house into two self-contained residential units, as evidenced by the submitted drawings, and in the absence of any reference on the public notice, would provide for a disorderly and haphazard form of development and would be contrary to Section 11.3.1(k) of the Galway City Development plan (self-contained residential units) and accordingly therefore be contrary to the proper planning and sustainable development of the area.

**Note:**

In deciding not to accept the Inspector's recommendation to grant permission in part as specified in the inspector's recommendation, the Board did not share the view of the inspector that the granting of permission for these elements (save the elements hereby permitted by the Board subject to conditions), would comply with the relevant provisions of the Galway City Development Plan. Furthermore, the Board did not agree that the development hereby refused retention permission would not be injurious to the visual or residential amenities of the area. The Board concluded that the proposed elements of the development hereby refused retention permission would detract from the visual and residential amenities of the existing dwelling and adjoining dwellings and constitute an undesirable precedent for similar type development in this area in an established residential neighbourhood, would be contrary to the policies of the City Development Plan and would therefore be contrary to the proper planning and sustainable development of the area.

**Board Member**

  
Patricia Calleary

**Date:** 25/03/2025