

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway City

Planning Register Reference Number: 15/278

An Bord Pleanála Reference Number: PL 61.245999

APPEAL by Maoiliosa O’Gorman care of MJ Designs of 23 Kilkerrin Park, Liosbaun Estate, Tuam Road, Galway against the decision made on the 3rd day of December, 2015 by Galway City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of a timber fence at number 7 Devon Court, Salthill, Galway (fence is located at the common rear side boundary with number 8 Devon Court).

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to its nature, scale and location, and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, including a reduction in height and restriction to a temporary time period, the development proposed to be retained would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would not, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board shared her concerns but considered that this could reasonably be addressed by means of condition.

CONDITIONS

1. The fence is permitted for a period of three years from the date of this Order, and shall be removed at the end of that period.

Reason: To provide an appropriate time period for vegetation to mature, and having regard to the visual impact of the fence, a permanent permission is not considered appropriate.

2. Within three months of the date of this Order the fence shall be reduced to a height of 0.75 metres over the existing wall to the written satisfaction of the planning authority.

Reason: To reduce the visual impact of the fence.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.