

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway County

Planning Register Reference Number: 15/1262

An Bord Pleanála Reference Number: PL 07.246016

APPEAL by Claire Rooney care of Planning Consultancy Services of Gray Office Park, Galway Retail Park, Headford Road, Galway against the decision made on the 9th day of December, 2015 by Galway County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Change of use of Montessori and childcare building, approved under planning register reference number 09/2242, to single dwellinghouse and permission for retention of domestic shed to rear, at Caheroyan, Athenry, County Galway.

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 the residential land use zoning objective for the site, as set out in the Athenry Local Area Plan 2012, the modest scale of the proposed house, the pattern of development in the vicinity, the close proximity of public open space in the area, and the planning history of the subject site including planning register reference number 09/2242 in particular, which permitted the subject building and the subdivision of the original house plot, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide a modest but south-facing private rear amenity space that would be acceptable in the particular circumstances of the case, and the proposed development and 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 be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out 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 required 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the site without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants and in the interest of the amenities of the area, having regard to the limited private rear open space available.

3. All signage associated with the Montessori and Child Care facility shall be removed from site and from the vicinity of the site prior to the occupation of the dwelling.

Reason: In the interest of visual and residential amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

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

Dated this day of 2016.