

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway City

Planning Register Reference Number: 15/313

An Bord Pleanála Reference Number: PL 61.246125

APPEAL by Martha and Ronald Sayers care of McCarthy Keville O'Sullivan Limited of Block 1, Galway Financial Services Centre, Moneenageisha Road, Galway against the decision made on the 14th day of January, 2016 by Galway City Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of changes in ground level of the garden and new garden shed at 46 Father Burke Road, 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 planning history of the site and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained 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.

Reason: In the interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 to those Regulations shall be erected within the rear garden area, without a prior grant of planning permission.

Reason: In order to protect the residential amenities of the area and to allow the planning authority to assess any such development through the statutory planning process.

3. Water supply and drainage arrangements, including the attenuation and 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.

4. The shed hereby permitted shall be used solely for purposes incidental to the enjoyment of the neighbouring dwelling, as such, and shall not be used for any commercial or business purposes.

Reason: In order to protect the residential amenities of the area.

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

Dated this day of 2016.