

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway City

Planning Register Reference Number: 16/225

An Bord Pleanála Reference Number: PL 61.247451

APPEAL by Ger O'Regan and Nessa O'Regan of Skeaghbeg, Headford, County Galway against the decision made on the 28th day of September, 2016 by Galway City Council to grant subject to conditions a permission to Brendan O'Gorman and Síne Phelan of 42 Devon Park, Salthill, Galway in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of the movement and reconfiguration of a window to the side of the house, the demolition of garage and rear chimney stack (shared). New works proposed include extensions to front and rear of the property, new garden shed and new roof windows to the front and the side of the house and new gate to the front of the site. The works include associated site works and changes to site levels, all at 42 Devon Park, Salthill, 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 amendments made since the previous Board refusal (An Bord Pleanála appeal reference number PL61.243260,) the Board considered that the proposal, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenity of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the inspector's recommendation to refuse permission, the Board considered that the proposal would not be injurious to residential amenity and that the Inspector's concerns in regard to the balance of the semidetached unit could be met by condition.

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 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 proposal shall be amended as follows:

The proposed extension at the front of the house shall not be carried out and the permission granted is for the extension to the rear of the house only. Revised drawings showing this amendment shall be submitted to the planning authority for written agreement prior to commencement of development

Reason: In the interests of visual amenity.

3. Prior to the commencement of development, a revised site layout showing the omission of the proposed new front entrance, shall be submitted to the planning authority for written agreement.

Reason: In the interest of the proper planning and sustainable development of the area.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

5. 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.

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

Dated this day of 2017.