

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway City

Planning Register Reference Number: 16/232

An Bord Pleanála Reference Number: PL 61.247502

APPEAL by Ann and David Hanly care of Planning Workshop of Studio 204 Business Innovation Centre, N.U.I.G., Upper Newcastle, Galway against the decision made on the 6th day of October, 2016 by Galway City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of existing driveway alterations to previously granted permission, planning register reference number 06/384. Permission is sought for demolition of existing front porch and existing rear shed, new rear single storey extension, new external insulation and smooth plaster finish to exterior, new rooflights to front and rear roof elevations of existing house, internal alterations, alteration of existing window sizes to front, side and rear elevations at ground and first floor levels, with one additional utility door to the ground floor side elevation and all associated site works at 83 Devon Park, Lower Salthill, Galway.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3 and the reason therefor and to AMEND condition number 4 so that it shall be as follows for the reason set out.

4. The attic area created shall only be used for storage purposes and shall not be used for habitable purposes.

Reason: In the interest of residential amenity.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area, the Board considered that condition number 3 was not warranted. The Board further considered that a condition requiring only that the attic area not be used for residential purposes was sufficient without further restrictions to the layout of the attic.

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.

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

Dated this day of 2017.