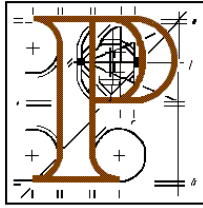


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway County

Planning Register Reference Number: 16/1362

An Bord Pleanála Reference Number: PL 07.247750

APPEAL by Sandra Murphy care of Gerard Hanniffy of Suite 21, Oranmore Centre, Oranmore, County Galway against the decision made on the 30th day of November, 2016 by Galway County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a detached garage structure in the townland of Moy, Kinvara, County Galway.

DECISION

Having regard to the nature of the condition 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 4 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the design, nature and extent of the proposed garage, the location of the proposed garage within a ribbon of large dwellinghouses, to the pattern of development in the area and to the provisions of the current Galway County Development Plan, it is considered that the proposed garage would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would provide for greater retention of the stone field boundary wall and would not set an undesirable precedent for other similar developments in the area. It is considered, therefore, that the removal of condition number 4 would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to attach (retain) condition number 4, the Board considered that the design and location of the proposed garage, and the hard surfaced access to the garage, as set out in the planning application, would be visually acceptable.

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.