

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway City

Planning Register Reference Number: 16/240

An Bord Pleanála Reference Number: PL 61.247872

APPEAL by Vincent O'Connor care of Planning Consultancy Services of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 14th day of December, 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: Construction of three number detached dwellings and associated site works, demolition of small outhouses/shed, with access via Knocknacarra Road and amendments to the previous scheme approved under An Bord Pleanála appeal reference number PL61.224664 and planning authority register reference numbers 06/831 and 12/219 at Knocknacarra Road, Salthill, 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 2 subsections (i), (iii) and (iv) and the reasons therefor.

REASONS AND CONSIDERATIONS

Having regard to the nature of the proposed development and the condition subject to appeal and the other issues raised by the Inspector, the Board also had regard to the scope of planning authority's decision and conditions and concluded that it was not necessary to assess the case 'de novo'.

The Board was satisfied taking into account the site history and the nature of the development that the omission of condition number 2 subsections (i), (iii) and (iv) was acceptable and would not seriously injure the visual or residential amenities of the adjoining property and would, therefore, be in accordance with the proper planning and residential development of the area.

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.