

## **Board Order PL 07. 248291**

Planning and Development Acts 2000 to 2017

**Planning Authority: Galway County Council** 

Planning Register Reference Number: 16/1453

**Appeal** by James and Patricia O'Connell and others care of Stephen Dowds Associates of 5 Mary Street, Galway against the decision made on the 10<sup>th</sup> day of March, 2017 by Galway County Council to grant subject to conditions a permission to Stephen Gill care of Gabor Molnar Engineering of Gray Office Park, Galway Retail Park, Headford Road, Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of changes to front and side boundary treatment and landscaping at existing site at Cinn Uisce, Claregalway, County Galway.

## **Decision**

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 regarding to the provisions of the Galway County Development Plan 2015 to 2021, and to the nature and scale of the development proposed for retention, it is considered that the development comprising the removal and modifications to the entrance, the front and lateral boundaries as well as the site clearance and topsoil removal has had an adverse impact on the visual and residential amenities of the rural area. The development proposed for retention would, therefore, not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the extent of the works was not justifiable with an agricultural use of the lands. Furthermore, the Board had concerns that the removal of the existing dry stone wall, hedgerow and trees from the front and lateral boundaries of the site has had an adverse impact on the visual and residential amenities of the rural area.

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

Dated this day of

2017