



An
Bord
Pleanála

**Board Order
PL 61.248827**

Planning and Development Acts 2000 to 2017

Planning Authority: Galway City Council

Planning Register Reference Number: 17/105

Appeal by Patrick Hayden care of Stephen Dowds Associates of 5 Mary Street, Galway against the decision made on the 13th day of June, 2017 by Galway City Council to grant subject to conditions a permission to Karen and Phil Brown care of S. Hanniffy and Associates of Cottage, Maree, Oranmore, County Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: (1) Retention and amendment of existing boundary wall to side of dwellinghouse, and (2) retention of existing patio area to rear of dwellinghouse at 21 The Orchard, Kingston, 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 residential zoning objective for the area, the planning history of this site, the policies and objectives of the Galway City Development Plan 2017-2023, the location of the site, the design of the dwelling and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Within three months of the date of this order, the developer shall submit to

the planning authority for written agreement, photographic and/or documentary evidence in relation to the following:

- (a) the reduction in the height of the wall as per drawing number 17111-03, submitted to the planning authority on the 20th day of April, 2017,
- (b) the inclusion of a planter abutting the patio at number 21 The Orchard which shall include a semi-mature hedge with a minimum height of 1.6 metres which shall be maintained in perpetuity, and
- (c) evidence of a plaster finish along the southern elevation of the wall, subject to the agreement of the residents of number 20 The Orchard.

Reason: In the interest of residential amenity.

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

Dated this day of 2017