



An
Bord
Pleanála

Board Order

PL 20.249041

Planning and Development Acts 2000 to 2017

Planning Authority: Roscommon County Council

Planning Register Reference Number: PD/17/274

Appeal by Gerard Dolan care of Dolan and Associates Limited of Teach Mhuire, Church Street, Creagh, Ballinasloe, County Galway against the decision made on the 4th day of August, 2017 by Roscommon County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of house design and garage with ancillary site works previously granted under planning register reference numbers PD/07/1777 and PD/12/3098 at Gortanabla, Taughmacconnell, Ballinasloe, County Roscommon.

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 **AMEND** condition number 1 so that it shall be as follows for the reasons set out.

1. Apart from the modifications permitted on foot of this decision, including the change of house design, garage, septic tank and associated site works, the development shall otherwise be carried out in accordance with the terms and conditions of planning register reference number PD/07/1777, for which the duration of permission was extended under planning register reference number PD/12/3098 to the 2nd day of January, 2018.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, as described in the public notices, the planning history for the site, including the parent permission to which the current permission relates, it is considered that condition number 1 requiring the proposed development to be carried out strictly in accordance with the conditions of the governing permission (planning register reference number PD/07/1777) and to the extension of duration permission (planning register reference number PD/12/3098), and, accordingly, to expire on the 2nd day of January 2018, would be warranted, as the proposed development relates to amendments to previous permissions and as the time constraints linking the application to the previous permissions are reasonable and appropriate. Furthermore, the applicant's request to amend a condition of a previous governing planning permission via amendment of condition number 1 of the subject application, would not be warranted, as permission to amend same was not specifically applied for in the subject application. The proposed development including the amended condition number 1 would, therefore, be in accordance with the proper planning and sustainable 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 2018