



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 17/1097.

Appeal by Jimmy Coen care of Sean Maloney and Associates Limited of Unit 46, N17 Business Park, Galway Road, Tuam, County Galway against the decision made on the 9th day of November 2017 by Galway County Council to refuse permission.

Proposed Development: Construction of a new agricultural entrance/exit gateway to replace the existing agricultural entrance which will be blocked up and all ancillary site works at Quarter, Dunmore, County 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

It is considered that, subject to compliance with the conditions set out below, the proposed relocation of the agricultural entrance would not seriously injure the visual amenities of the area or property in the vicinity, would generally be acceptable in terms of traffic safety and convenience and would not materially contravene the current development plan for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by the planning authority on the 24th day of August, 2017 and the 2nd day of November, 2017 and by the further plans and particulars received by An Bord Pleanála on the 1st day of December, 2017, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed new access shall serve the existing agricultural shed within the boundary of the subject site and shall not provide access/egress to any other buildings in the vicinity.

Reason: In the interest of traffic safety and to comply with the Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of Environment, Community and Local Government in January 2012.

3. The proposed agricultural entrance shall be setback not less than six metres from the edge of the public road. Wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed more than 1.5 metres in height with the exception of pillars. Details in this regard shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

4. The existing agricultural entrance shall be cordoned off and blocked and shall not be used as an entrance for vehicular traffic. The boundary shall be reinstated in accordance with the submitted details within six months of the construction of the new entrance.

Reason: In the interest of traffic safety and to comply with the Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January 2012.

5. The owner/occupier of the farm shall give a written undertaking to the planning authority that he/she will cut back/trim the hedging/planting to the north of the proposed entrance in order to achieve and maintain adequate sightlines in a northerly direction. The trimming/cutting back of hedgerows shall take place at a very minimum on an annual basis.

Reason: In the interest of traffic safety.

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

Dated this day of 2018.