



Planning and Development Acts 2000 to 2018

Planning Authority: Galway City Council

Planning Register Reference Number: 18/111

APPEAL by John Burke care of Fergal Bradley and Company Limited of Victoria House, Victoria Street, Eyre Square, Galway against the decision made on the 31st day of May, 2018 by Galway City Council to refuse permission.

Proposed Development: Construction of a two-storey detached dwelling house and associated site works at Site Number 111 Drisin, Ballymoneen Road, Knocknacarra, 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

1. It is considered that the proposed construction of a dwelling house on the subject site would contravene materially conditions attached to an existing permission for development namely, conditions numbers 2 and 3 attached to the permission granted by Galway City Council under planning register reference number 08/593 which required that the subject site be used as designated open space to serve the housing development. The proposed development would set an undesirable precedent in terms of non-compliance with planning conditions and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed dwelling house would result in the loss of communal public open space which is actively used for recreational purposes. The proposed development would, therefore, seriously injure the residential amenities of the residents of Drisin residential estate and would, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.