



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 18/556

Application for Leave to Appeal against the decision of the planning authority by Kenneth and Catherine Colleran care of E. Spellman and Associates Limited of Pigott's Street, Loughrea, County Galway having an interest in land adjoining the land in respect of which Galway County Council decided on the 25th day of June, 2018 to grant subject to conditions a permission to Aidan McGuinness care of McCarthy Keville O'Sullivan of Block 1, G.F.S.C., Moneenageigsha Road, Galway.

Proposed Development: Construction of five number residential units provided as follows: four number 2.5 storey semi-detached Type A houses; and one number two-storey detached Type B house and associated domestic garage together with the provision of vehicular and pedestrian access from the Athenry Road (N66) via 'The Maltings' residential development immediately south of the proposed site and all associated landscaping, boundary treatment, site works and connection to existing services, all on a site adjacent to the Loughrea Shopping Centre and The Maltings residential development in the townland of Cosmona, Loughrea, County Galway.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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 regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that -

- (i) while it has been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 5(b) (and related condition number 15) imposed by the planning authority to which the grant is subject,

- (ii) it has not been shown that the imposition of this condition or any other condition will materially affect the applicant's enjoyment of the land

adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Conall Boland

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2018.