



Planning and Development Acts 2000 to 2018

Planning Authority: Galway City Council

Planning Register Reference Number: 18/110

Appeal by Gerry and Bernie O'Connor and James Burns care of 18 Whitestrand Park, Lower Salthill, Galway and by Marie and Michael Lee of 10 Whitestrand Park, Salthill, Galway against the decision made on the 5th day of July, 2018 by Galway City Council to grant subject to conditions permission to Ellen Kelly care of E. Spellman and Associates Limited of Pigott's Street, Loughrea, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Construction of two number extensions to the existing dwellinghouse, one extension to the rear and one extension to the side. (2) Alterations to the existing dwellinghouse which includes the upgrading and alterations to the existing windows and doors, internal changes and provision of external insulation. (3) Existing vehicular access is to be widened to a maximum of 3.0 metres. (4) Provision of all associated services at 11 Whitestrand Park, Salthill, 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 zoning objective for the site, the pattern of development in the vicinity and policies set out in the Galway City Council Development Plan 2017- 2023, it is considered that the proposed development, subject to compliance with the conditions set out below, would not detract from the character of the area, would not seriously injure the residential or visual amenities of the area and would not materially impact on on-street parking pressure on surrounding streets. 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 submitted on the 8th day of June, 2018, 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 shower room windows at ground and first floor levels shall be glazed with obscure glass. Prior to commencement of development details in this regard shall be submitted to the planning authority for written agreement.

Reason: To ensure the privacy of occupiers of the dwellinghouse.

3. Prior to the commencement of development, details of the landscaping scheme for the site, including hedging or tree planting along the front and side boundary of the site shall be submitted to the planning authority for written agreement. The landscaping of the site shall be implemented prior to the two-storey extension being first occupied, or as otherwise agreed in writing with the planning authority. Any trees/planting failing within the first five years shall be replaced within the next planting season with options of similar size and species.

Reason: In the interest of visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall be erected on the site without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling and in the interest of the amenities of the area.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

6. The external finishes of the proposed development shall match those of the existing dwelling.

Reason: In the interest of visual amenity.

7. Any alterations to public services, public areas or utilities necessitated by the development shall be carried out at the developer's expense having firstly obtained agreement in writing with the planning authority or other bodies responsible for such areas or utilities, before any alterations are carried out.

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

8. Surface water run-off associated with this development shall not be permitted to discharge onto the public road or footpath.

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

9. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: To safeguard the residential amenities of the surrounding area.

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

Dated this day of 2018.