



Planning and Development Acts 2000 to 2018

Planning Authority: Galway City Council

Planning Register Reference Number: 18/194.

Appeal by Kevin and Peter Carroll, executors of the estate of Nora Carroll care of Silke Architects of 9 Radharc na Farrage, Ballymoneen Road, Galway against the decision made on the 3rd day of August, 2018 by Galway City Council to refuse outline permission for the proposed development.

Proposed Development: (a) Alterations to existing dwelling including demolition of existing single-storey side extension, blockwork garden shed and inner garden wall; construction of new single-storey extension attached to rear of dwelling; formation of new vehicular site entrance to service existing dwelling; (b) division of existing dwelling site to form two separate sites with new dividing boundary wall; (c) construction of a new two-storey and part single-storey detached dwelling on the newly separated site serviced by the existing vehicular site entrance; alterations to part of existing perimeter boundary wall. All proposed development aforementioned has associated ancillary and site works. The works may also require the diversion of existing underground public services traversing the site to alternative locations beneath the adjacent public footpath and/or roadway. These services may include foul sewer, storm water and potable water mains at 23 Moyola Park, Newcastle, Galway.

Decision

GRANT outline 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 condition 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 provisions of the Galway City Development Plan 2017-2023, the zoning of the site, the location within an existing housing estate, and the pattern of development in the area, it is considered that, subject to compliance with the condition set out below, the proposed development would not seriously injure the amenities of properties in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse outline permission, the Board noted the absence of a coherent building line to the west and considered that the site was adequate to accommodate the proposed development. The Board also noted that the Inspector's concerns regarding possible disruption to trees, and provision of water and wastewater, could be addressed by condition.

Condition

1. The plans and particulars to be submitted by way of a separate application for planning permission consequent on this grant of outline permission shall include the following:
 - (a) Adequate proposals for the diversion of existing storm water, foul water, and potable water mains which traverse the site, and a diversion agreement with Irish Water to allow such diversions.
 - (b) Adequate measures to ensure the protection of the existing mature trees, immediately to the west of the site, from damage which might otherwise result from the works required for the diversions mentioned at (a) above.

Reason: In the interests of residential and visual amenities, and orderly development.

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

Dated this day of 2018.