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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 18/272**

**APPEAL** by Dwayne Higgins care of Oliver Higgins Chartered Engineers of Unit 4B, Oranmore Business Park, Oranmore, County Galway against the decision made on the 5<sup>th</sup> day of October, 2018 by Galway City Council to refuse permission to the said Dwayne Higgins.

**Proposed Development:** Permission for retention of a single storey “Granny Flat” to the rear of an existing dwelling and permission for construction of a single storey link corridor with the main dwelling, all at Ballybaan Beg Townland, 119 Wellpark Grove, 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. The proposed development does not comply with section 11.3.1(k) of the Galway City Development Plan 2017-2023, which states, in relation to self-contained units, that “self-contained residential units will be considered when the unit is an integral part of the main dwelling capable of re-assimilation into the dwelling, the unit is an addition to the existing structure or a garage conversion and shall generally be located at the side as opposed to the rear garden of the existing house, the floor area of the unit does not normally exceed the equivalent of 25% of the floor area of the existing house, self contained units will only be considered so long as the owner of the premises lives in the unit or the remainder of the premises as their main residence”. The development as proposed does not meet this criteria. In particular, the proposed granny flat/self contained unit is located to the rear of the main dwelling and it measures in excess of the 25% standard. Hence, it is considered that the proposed development would be contrary to the objectives of the Galway City Council Development Plan and, if granted, would set an undesirable precedent for similar unacceptable development in the local area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development to connect the existing rear garage with the existing dwelling via a link corridor would seriously injure the residential amenities of the adjoining property to the north-west, number 120 Wellpark Grove, by reason of the scale, massing and visual dominance of the corridor in conjunction with the existing garage. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**