



Planning and Development Acts 2000 to 2018

Planning Authority: Galway County Council

Planning Register Reference Number: 18/878

Appeal by Siobhán Ní Chéidigh of Park East, Spiddal, County Galway against the decision made on the 12th day of February, 2019 by Galway County Council to grant subject to conditions a permission to Seamus Ó Céidigh of Park East, Spiddal, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of existing site entrance as constructed to access dwellinghouse previously constructed under Planning Register Reference Numbers 08/293 and 07/2307 at Park East, Spiddal, County 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 nature of the development to be retained, the 60 kilometre per hour speed restrictions on the regional road in the vicinity of the development and to the relevant provisions of the Galway County Development Plan 2015-2021, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously impact on traffic safety 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 permission, the Board considered that, in light of the changed circumstances relating to permitted use of the adjoining entrance way since the grant of permission for the house on the site, the further information received in relation to demonstration of sight visibility distances and the acceptance by the planning authority and Transport Infrastructure Ireland of the proposed entrance to be retained, the development to be retained would not pose an undue risk to traffic safety.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 18th day of January, 2019, 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No surface water from roofs, paved areas or otherwise shall be permitted to discharge or drain onto the public road or adjoining properties.

Reason: In the interest of traffic safety and to prevent pollution.

3. The sight distance triangles as illustrated shall be maintained and kept free from vegetation or other obstructions at all times.

Reason: In the interest of traffic safety.

4. The existing front boundary hedge shall be retained, except to the extent that its removal is necessary to provide for the entrance to the site.

Reason: In the interest of visual amenity.

Dave Walsh

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

Dated this day of 2019.