



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 19/1415

Appeal by Elaine Farragher care of Oliver Higgins of Unit 4B Oranmore Business Park, Oranmore, County Galway against the decision made on the 5th day of November, 2019 by Galway County Council to grant subject to conditions a permission to the said Elaine Farragher in accordance with plans and particulars lodged with the said Council:

Proposed Development: Change of house plan and garage plan on 'Site Number 1' from those previously approved under planning references 19/48 and 14/100. The garage is also to be relocated within Site Number 1, all at Halfstraddle Townland, Ballygaddy Road, Tuam, 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 residential zoning objective pertaining to the site and to the planning history relating to the site including the extant permission for residential development granted under planning register reference number 14/100, as extended by planning register reference number 19/48, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would generally be acceptable in terms of traffic safety and convenience. 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, 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 proposed dwelling shall not be occupied as a place of residence until such time as the conditions attached under planning register reference number 14/100, as extended under planning register reference number 19/48, are complied with in full to the satisfaction of the planning authority.

Reason: To ensure orderly development and that appropriate infrastructure is in place to serve the proposed dwelling.

3. This grant of planning permission shall expire on the 10th day of March, 2024.

Reason: In the interest of property planning and sustainable development.

4. The external finishes of the proposed dwelling including roof tiles/slates shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

5. The proposed garage shall not be used for habitable or commercial purposes or any other purposes other than that incidental to the enjoyment of the individual dwelling.

Reason: In the interests of orderly development and residential amenity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health.

7. The applicant or developer shall enter into a water and/or wastewater connection agreement with Irish Water prior to the commencement of development.

Reason: In the interest of public health.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2020.