



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council.

Planning Register Reference Number: 19/675

Application for Leave to Appeal against the decision of the planning authority by Paul Dempsey of Mullaghmore North, Moylough, Ballinasloe, County Galway, having an interest in land adjoining the land in respect of which Galway County Council decided on the 27th day of June, 2020 to grant subject to conditions a permission to Michael Dolan care of O'Brien Survey and Design Services Limited of Mountbellew, County Galway.

Proposed Development: Construction of a new dwellinghouse, domestic/garage fuel store with wastewater treatment system, percolation area and all associated site works, all at Mullaghmore North, Moylough, Ballinasloe, County Galway.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the condition(s) set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of *condition numbered 11(b)* imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of *condition numbered 11(b)* will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Dave Walsh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.