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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 20/110**

**Appeal** by Martin J Fahy of Rosshill Road, Roscam, Galway against the decision made on the 16<sup>th</sup> day of July, 2020 by Galway City Council to grant subject to conditions a permission to Michael and Marian Madden care of James Roche Consulting Engineer of Forster Street, Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of house plan (from type D) and garage/store and all associated services previously granted under planning register reference numbers 10/212 and 16/109 at 4 Ros Odhrain, Roshill Road, Roscam, 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 zoning objective for the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity and would not pose an unacceptable risk of environmental pollution. 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. Apart from any departures specifically authorised by this permission, the development, including site boundary treatments, shall comply with the terms and conditions of the planning permissions granted under planning register reference numbers 10/212 and 16/109, and any agreements entered into thereunder.

**Reason:** In the interest of clarity.

3. (a) Prior to commencement of development, details of the external stone finish shall be submitted to, and agreed in writing with, the planning authority.  
  
(b) The roof shall be blue/black in colour.

**Reason:** In the interest of visual amenity.

4. The proposed garage/store/shed shall not be used for commercial purposes or for human habitation or for any other purpose other than a purpose incidental to the enjoyment of the dwellinghouse as such.

**Reason:** In interest of the proper planning and sustainable development of the area.

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

**Reason:** In the interest of public health.

6. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the Environmental Protection Agency document.

**Reason:** In the interest of public health

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

**Reason:** In the interest of public health.

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

**Dated this            day of            2020.**