



Planning and Development Acts 2000 to 2020

Planning Authority: Galway City Council

Planning Register Reference Number: 20/153

Appeal by Fort Eyre Developments Limited care of James O'Donnell of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 29th day of July, 2020 by Galway City Council in relation to the application by the said Fort Eyre Development Limited for permission for development comprising minor revisions to the previously permitted redevelopment to number 58 Shantalla Road, Galway, to provide for four number apartments (granted under An Bord Pleanála appeal reference number PL 61.248381 and planning register reference number 16/212); the development will consist of (1) revisions to the access gate arrangements onto the lane at the rear of the premises and (2) varying of condition number 4 of An Bord Pleanála appeal reference number PL 61.248381/planning register reference number 16/212, to construct a 1.8 metres high obscure glass block wall between the private open space of apartment number 3, and the adjacent laneway, together with all associated site works. Number 58 Shantalla Road is a protected structure (RPS Ref: 9203). In accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for the revisions to the access gate arrangements onto the lane at the rear of the premises and to refuse permission for the varying of condition number 4 of An Bord Pleanála appeal reference number PL 61.248381/planning register reference number 16/212 to construct a 1.8

metres high obscure glass block wall between the private open space and the adjacent laneway).

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 provisions of the Galway City Development Plan 2017-2023, the existing and permitted development in the area, and the minor nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed glass block wall would not adversely affect the character and setting of Protected Structures 9201, 9202 and 9203 and the architectural and historical significance of the laneway and other properties in the area. It is further considered that the proposed development would not seriously injure the visual or residential amenities of the area or properties in the vicinity. 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, as amended by the further particulars received by An Bord Pleanála on the 25th day of August, 2020, 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 shall be carried out and completed in accordance with the terms and conditions of the permission granted on 16th day of April, 2018 under appeal reference number PL 61.248381 and any agreements entered into thereunder.

Reason: In the interest of clarity.

3. The external finishes of gate piers shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

Paul Hyde

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

Dated this day of 2021