



Planning and Development Acts 2000 to 2020

Planning Authority: Galway City Council

Planning Register Reference Number: 20/192

APPEAL by Mary and Iona Belov and others care of Daniel Melia Consulting Engineer of Collinamuck, Rosscahill, County Galway and by Robert and Patricia Staunton care of MKO of Tuam Road, Galway against the decision made on the 10th day of September, 2020 by Galway City Council to grant subject to conditions a permission to Robert and Patricia Staunton in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention and completion of a projected/pop-out window at rear of the existing dwelling. The permission is to include retention of as built minor amendments to permitted planning reference number 18/417 at number 15 Lenaboy Park, Salthill, Galway.

Decision

REFUSE permission for the above proposed development in accordance with 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

It is considered that the proposed development entails retention and completion of minor amendments to permitted Galway City planning reference number 18/417. Notwithstanding the development description there is a clear dispute regarding the planning status with development that would normally be subject to the provisions of Section 34 of the Planning Act carried out on site and is not covered by an appropriate grant of permission. The proposed development would contravene materially a condition attached to an existing permission for development and to permit the proposed development would consolidate unauthorised development and be contrary to Section 34 of the Planning and Development Act (as amended). Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of a permission for the proposed development in such circumstances.

Paul Hyde

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

Dated this day of 2021.