



Planning and Development Acts 2000 to 2020

Planning Authority: Galway County Council

Planning Register Reference Number: 20/1070

Appeal by John Kenny of River Street, Eyrecourt, Ballinasloe, County Galway against the decision made on the 24th day of September, 2020 by Galway County Council to grant subject to conditions a permission to Ted Larkin care of Paul McLoughlin of Foats, Aughrim, Ballinasloe, County Galway in accordance with plans and particulars lodged with the said Council:

Proposed Development: Relocation of existing vents and fuel storage area to rear of permitted development (planning register reference numbers 09/1404 and 15/1069) and associated site works at Townparks, Eyrecourt, 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 site location within the settlement boundary of the village of Eyrecourt and to the established use of the premises served by the ventilation and extraction equipment as a fast food outlet, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity or the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and 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 plans and particulars received by An Bord Pleanála on 6th day of November, 2020, except as may otherwise be required in order to comply with the following conditions. In the interest of clarity, the Board is satisfied that the proposal to relocate the vents and fuel storage to the rear (as shown in green) of the development is acceptable. Where 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. Details and specification for the ventilation and extraction system, and for the management of odour and emissions, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the clarity and the protection of the amenities of the area.

3. The noise level shall not exceed 55 dB(A) rated sound level, as measured at the nearest dwelling. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site.

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

Dated this day of 2021