

An
Bord
Pleanála

Board Order
ABP-309047-20

Planning and Development Acts 2000 to 2020

Planning Authority: Galway County Council

Planning Register Reference Number: 20/881

Appeal by Gillian and Robert Shaw care of James O'Donnell of Planning Consultancy Services, Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 2nd day of December, 2020 by Galway County Council to refuse permission for the proposed development.

Proposed Development: (1) Alterations to an existing dwelling to include a proposed front door canopy, a widened front door and enlarged side window and (2) proposed alterations to an existing side extension as granted (12/1637 and 18/415) to include revised window proportions, ridge height and a new rear first floor balcony and all associated works at Kylebroghlan, Moycullen, 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 location of the site within the defined Moycullen Settlement Boundary as identified by the Maigh Cuilinn Local Area Plan 2013-2023, the presence of the existing house on lands zoned 'R' residential (Phase 2), the extant permission on site, the nature of the alterations to this extant permission now, the secluded and screened nature of the receiving environment, the pattern of development in the vicinity and the provisions of Section 3.5.3 of the Galway County Development Plan 2015-2021, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be an acceptable form of development at this location. 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 plans and particulars submitted on the 06th day of November 2020 and by the further plans and particulars received by An Bord Pleanála on the 23rd day of December 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.

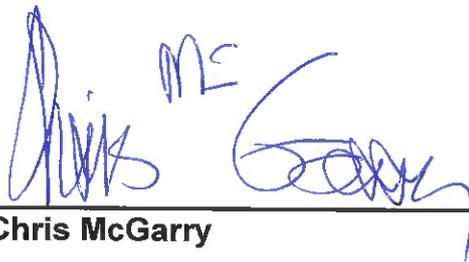
Reason: In the interest of clarity.

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 24th day of June 2013 (PL Register Reference Number 12/1637, as extended by PL Register Reference Number 18/415), and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The proposed development shall be amended as follows:
- (a) A 1.8 metre high obscured screening shall be provided to the north boundary of the balcony.

Reason: In the interest of residential amenity.



Chris McGarry

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

Dated this 28th day of April 2021

