

An
Bord
Pleanála

Board Order
ABP-311602-21

Planning and Development Acts 2000 to 2021

Planning Authority: Galway City Council

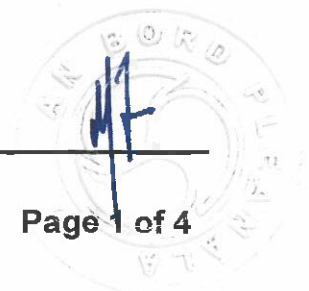
Planning Register Reference Number: 21/252

Appeal by Michael Mullaney care of Lo-Homes Limited of Tonamaddy, Creggs, County Roscommon against the decision made on the 21st day of September, 2021 by Galway City Council to refuse permission for the proposed development.

Proposed Development: Retention of dwelling house as constructed to include minor increase in soffit and ridge height and minor elevation alterations and all associated site works at 25A Greenfields Road, Newcastle, 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.

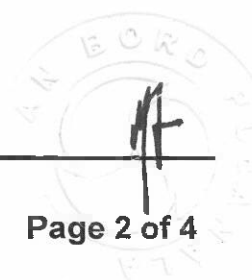
Reasons and Considerations

Having regard to the nature and scale of the development proposed to be retained and the overall design, it is considered that, subject to compliance with the conditions set out below, the proposed development would be satisfactory in the context of the visual amenities of the area and the amenities of adjoining property and the character. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The following amendments shall be made.

- (a) The dormer projection on the rear roof plane shall be clad in profiled metal cladding as per the design specified under ABP-303867-19 (18/344).
- (b) The window on the gable at second floor level shall be fitted with obscure glazing and maintained permanently as such.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the 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.

4. Prior to the commencement of development, the developer shall secure an Exemption Certificate under Section 97 of the Planning Act 2000 (As amended).

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000 (as amended) and the Planning and Development Amendment Act 2002.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

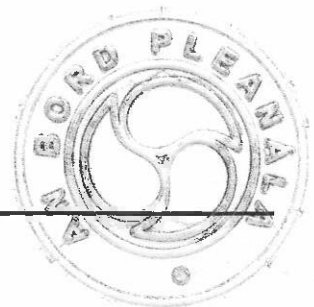
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board



Dated this 24th day of January 2022