

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 2260015

Appeal by Conor O'Shea, Hubert and Barbara Jennings, Kiltulla and Glenrevagh Residents care of Red Rock, Kiltulla, Oranmore, County Galway against the decision made on the 14th day of March, 2022 by Galway County Council to grant subject to conditions a permission to Galway City Council care of Jennings O'Donovan and Partners Limited of Finisklin Business Park, Sligo in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of an existing house and outbuilding, construction of a new dwelling house, sewage treatment system, percolation area and all associated site works and services, all at Kiltullagh, 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.

Reasons and Considerations

Having regard to the provisions of the Galway County Development Plan 2022-2028, the nature of the proposed development, specifically a replacement dwelling, and the prevailing pattern and character of existing development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be 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 with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. Prior to commencement of development, the developer shall enter into water connection agreement with Uisce Eireann.

Reason: In the interest of public health.

4. (a) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 18th day of January, 2022, and in accordance with the requirements of the document entitled "Code of Practice – Domestic Waste Water Treatment Systems (p.e. ≤ 10)" – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) Within three months of the first occupation of the proposed dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

5. The external finishes of the proposed dwelling shall comprise natural slate of blue/black colour for the roof and neutral coloured render for the external walls, unless otherwise agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

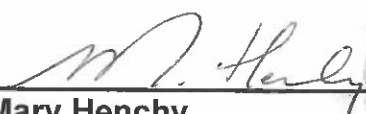
Reason: In the interest of visual and residential amenity.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.


Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Construction and demolition waste shall be managed in accordance with a Construction Waste Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.



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



Dated this 26th day of July 2023.