

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: ED22/21

WHEREAS a question has arisen as to whether the proposed connection of six number driveways and the associated footpath (as permitted under ABP-308310-20), to meet the southern edge of the existing Oranhill Avenue estate road at Oranhill Avenue, Oranhill, County Galway is or is not development or is or is not exempted development:

AND WHEREAS DeCourcey Developments Limited care of James O'Donnell Planning Consultancy Services of Third Floor, Ross House, Victoria Place, Eyre Square, Galway requested a declaration on this question from Galway County Council and the Council issued a declaration on the 20th day of April, 2022 stating that the said matter is development and is not exempted development:

AND WHEREAS DeCourcey Developments Limited referred this declaration for review to An Bord Pleanála, on the 16th day of May, 2022:

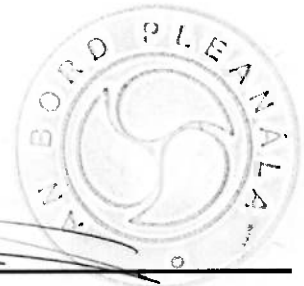
AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) the planning history of the site, and
- (c) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the existing estate road and footpath are each a 'structure' in accordance with the meaning provided at Section 2 of the Planning and Development Act 2000, as amended, and
- (b) the construction of vehicular accesses and footpath extension, to service approved housing, which involves an act of construction and thereby constitutes development, would not render the appearance of the road and footpath structures on the area of the subject site inconsistent with their character elsewhere in the estate, in accordance with Section (4)(1)(h) of the Planning and Development Act, 2000, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the proposed connection of six number driveways and the associated footpath, to meet the southern edge of the existing Oranhill Avenue estate road at Oranhill Avenue, Oranhill, County Galway is development and is exempted development.



Liam Bergin

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

Dated this 3rd day of November 2023.