

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 22/58**

**Appeal** Pat Larkin of 23 Fairhill Road Lower, The Claddagh, Galway against the decision made on the 10<sup>th</sup> day of May, 2022 by Galway City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission to have condition number 12(a) relating to the use of rooms/number of bedrooms removed from the planning register reference number 21/59 at number 23 Fairhill Road Lower, The Claddagh, Galway.

**Decision**

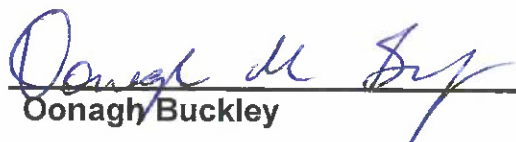
Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** condition number 3 so that it shall be as follows for the reason set out.

3. The maximum number of bedrooms within no 23 Fairhill Road Lower is four, comprising Room Nos 1, 2, and 4 at first floor level within the main dwelling and universally accessible bedroom, Room 5, at ground level (shown on drawing number 22/522-01) which shall be compliant in design with PM TGD Building Regulations 2001 as amended.

**Reason:** In the interest of clarity and residential amenities.

## Reasons and Considerations

Having regard to the planning history, to the established pattern and character of development in the area and to the Galway City Development Plan 2017-2023 according to which the location is within an area subject to the zoning objective, R: "to provide for residential development and for associated support development which ensures protection of existing residential amenity and contribute to sustainable residential neighbourhoods", it is considered that the proposed development would not seriously injure the residential amenities of properties in the vicinity, would provide for a satisfactory standard of attainable residential amenity for the future occupants and, would be in accordance with the proper planning and sustainable development of the area

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



Dated this 28<sup>th</sup> day of August 2023.