

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 21/1524

Appeal by Cathal Murphy care of James O'Donnell Planning Consultancy Services of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 13th day of July, 2022 by Galway County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.


Proposed Development: The construction of an infill residential development comprising of seven number residential units (i.e. three number houses and four number apartments). The development will consist of: three number detached four bedroomed houses, apartment building, consisting of two number two bed ground floor apartments and two number two bed first floor apartments, removal of stone wall along eastern boundary of site (facing Gort Road), and re-use of stone wall to form part of the façade of the proposed apartment building fronting onto the street, re-design of existing vehicular access onto Gort Road, removal of two number derelict outbuildings on site, connection to public mains water infrastructure, including connection to existing surface water and foul drainage networks, to serve the development, provision of a homezone and pocket communal open space, hard and soft landscaping, private open space, surface level car parking, bicycle parking, bin store, footpaths, public lighting, together with site works and services associated with the proposed development in the townland of Kinvarra, Gort Road, Kinvarra, County 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 REMOVE condition number 5 and the reasons therefor.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, the brownfield, zoned and serviced nature of the site, the existing pattern of development in the settlement of Kinvarra and the provisions of the current Galway County Development Plan 2022, it is considered that the modification to the proposed development, as required by the planning authority in its imposition of condition number 5, is not warranted nor sustainable, and that the proposed development, with the omission of condition number 5, would not detract from the architectural and visual amenities of the area, would be acceptable within the townscape and would, therefore, be in accordance with the proper planning and sustainable development of the area.


Stephen Bohan

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

Dated this 16th day of November 2023.