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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 22/257**

**Appeal** by Conor Little care of James O'Donnell of Suite 3, Third Floor, Ross House, Victoria Place, Eyre Square, Galway against the decision made on the 17<sup>th</sup> day of November, 2022 by Galway City Council in relation to an application for permission for development comprising (a) retention of the raised boundary walls along the Clybaun Road and Clybaun Court boundaries of the property, (b) the following works to existing house and site - 1. construction of a 1.80 metres high wall/fence along the north boundary, 2. construction of a two-storey rear extension, 3. conversion of the attic to habitable space, 4. construction of a domestic shéd/store, 5. construction of 1.80 metres high screen walls/fences within the site boundaries, 6. all associated internal changes and external elevational changes to the existing house, 7. all associated building works and site works at "Devinish", Clybaun Road, Knocknacarra, Galway in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for (b) the following works to existing house and site-1. construction of a 1.80 metres high wall/fence along the north boundary, 2. construction of a two-storey rear extension, 3. conversion of the attic to habitable space, 4. construction of a domestic shed/store, 5. construction of 1.80 metres high screen walls/fences within the site boundaries, 6. all associated internal changes and external elevational changes to the existing

house, 7. all associated building works and site works and to refuse permission for (a) retention of the raised boundary walls along the Clybaun Road and Clybaun Court boundaries of the property).

## **Decision**

**GRANT permission for (b) the following works to existing house and site-1. construction of a 1.80 metres high wall/fence along the north boundary, 2. construction of a two-storey rear extension, 3. conversion of the attic to habitable space, 4. construction of a domestic shed/store, 5. construction of 1.80 metres high screen walls/fences within the site boundaries, 6. all associated internal changes and external elevational changes to the existing house, 7. all associated building works and site works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.**

**REFUSE permission for (a) retention of the raised boundary walls along the Clybaun Road and Clybaun Court boundaries of the property based on the reasons and considerations marked (2) under.**

## **Reasons and Considerations (1)**

Having regard to the provisions of the Galway City Development Plan 2023 – 2029, it is considered that the proposed works to the existing house and site would, subject to compliance with the conditions set out below, would be in accordance with the residential zoning of the site, would enhance the amenities of the house and its site, and would not seriously injure the visual and residential amenities of the area. No Appropriate Assessment issues would arise. The proposed works to the existing house and site would,

therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

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

**Reason:** In the interest of clarity.

2. (a) The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.
- (b) Details of the external finishes of the proposed domestic shed/store, walls along the northern boundary, and walls within the site shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

3. The design of the roof and rainwater goods of the proposed domestic shed/ store shall be such that they do not overhang the adjoining property and rainwater run-off shall not flow onto this property.


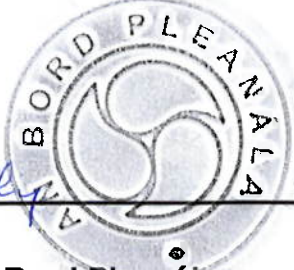
**Reason:** In the interest of residential amenity.

4. 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 and public holidays. Deviation from these times will 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.

## Reasons and Considerations (2)

Having regard to Section 4.4.5 of the Design Manual for Urban Roads and Streets and Section 11.3.1 of the Galway City Development Plan 2023 – 2029, it is considered that the retention of the raised roadside boundary walls on the site would prevent the availability of the requisite visibility splay for drivers exiting Clybaun Court onto Clybuan Road. Consequently, the retention of the raised boundary walls, as proposed, would endanger road safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this *26<sup>th</sup>* day of *January* 2024.