

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 22/190

APPEAL by Martin Fahy of Rosshill Road, Roscam, County Galway against the decision made on the 7th day of March, 2023 by Galway City Council to grant subject to conditions a permission to David Forde care of OAS Architects of Oran Business Centre, Unit 9A, Howley Square, Oranmore, County Galway.

Proposed Development: (1) Modifications to existing front façade, (2) internal modifications to existing house and conversion of existing attic space (area 261.70 square metres), (3). erect a new extension to side and rear of existing house (area 135.15 square metres), 4. demolish existing shed (area 34.5 square metres) and erect a new garage structure (area 50.76 square metres), and (5) all associated site works at Rosshill Road, Roscam, Galway.


Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the limited information submitted in respect of the construction, operation and maintenance of the swimming pool structure and hot tub, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not result in adverse effects on the integrity of Galway Bay Complex Special Area of Conservation (Site code: 000268) and Inner Galway Bay Special Protection Area (Site code: 004031) in view of the sites Conservation Objectives.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that details concerning the construction, operation and maintenance of the swimming pool structure and hot tub including the excavation works required, the source and volume of water required and its treatment, turnover and disposal must be available to inform an Appropriate Assessment process given the potential hydrological connectivity between the proposed development site and nearby European Sites. As per Section 7.6.1 of the Inspector's Report, the Board did not deem it appropriate for the matter to be addressed by way of post-consent condition and the applicant did not respond to a Section 132 notice issued by the Board requesting these details within the allocated timeframe.


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

Dated this 30th day of July 2024.