

An
Bord
Pleanála

Board Order
ABP-318002-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 23/60713

Appeal by Colm Ó Cleirigh care of Irene Curran of Rosmoney Pier, Westport, County Mayo against the decision made on the 22nd day of August, 2023 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Alterations and extension to an existing dwelling; a new garage; installation of a new on-site wastewater treatment system and connection to existing services together with all ancillary site development works at Baunoge, Letterfrack, County Galway.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

The Board considered having regard to the condition of the existing dwelling that the proposed works to the dwelling are akin to a house extension. The Board considered that the works proposed accorded with the requirements in the Galway County Development Plan 2022-2028, regarding extensions to house, DM Standard 4. The Board considered the size of the extension not to be subordinate to the existing structure but considered that the design and massing of the extension complemented the existing structure, and due to the siting of the structure on the site it accorded with the requirements of the Plan. The Board concurred with the Inspector with regard to the existing entrance, while appreciating the matters raised by the planning authority, the Board did not consider the works to the dwelling to be an intensification of use of the existing entrance as the existing entrance would be served one house only. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be constructed 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. Prior to the commencement of development, the applicant shall submit details for the setting back and splaying of a domestic entrance for the written agreement of the planning authority. Precise details of all foliage to be removed to achieve and maintain sight distances shall be submitted. The foliage shall be maintained at all times so that sight distance triangles are permanently maintained and optimised. Details of the gradient of the entrance shall also be submitted.

Reason: In the interest of traffic safety.

3. The domestic garage shall be used for domestic storage purposes only and shall not be used for human habitation or commercial purposes. The shed shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the property in the interest of residential amenity.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

- (b) Final details of the surface water management within the appeal site shall be submitted for the written agreement of the planning authority prior to the commencement of development.

- (c) Water supply and drainage arrangements, including attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of the proper planning and sustainable development of the area.

MH

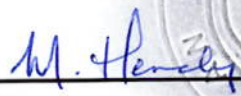
5. The mature trees, walled boundaries and fencing within the appeal site and along the appeal site boundaries shall be maintained in situ, except where required to be removed to improve and maintain sightlines.

Reason: In the interest of visual amenity.

6. (a) The proposed effluent treatment and disposal system shall be located, constructed, and maintained in accordance with the detail submitted to the planning authority and in accordance with the requirements of the document entitled: Code of Practice - Wastewater Treatment and Disposal Systems Serving Rural Dwellings (p.e. ≤ 10) – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.
- (b) Within three months of the occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the raised percolation area is constructed in accordance with the standards set out in the EPA document.

- (c) The existing septic tank shall be removed off site and the area shall be chemically sterilised.

Reason: In the interest of public health.



Mary Henchy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 17th day of July 2024.