

An  
Bord  
Pleanála

**Board Order**  
**ABP-318614-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 2360233**

**Appeal** by Clare O'Brien of "Shalom", Middlethird, Oranmore, County Galway against the decision made on the 10<sup>th</sup> day of November 2023 by Galway County Council to grant, subject to conditions, a permission to Joseph Howard care of Gerard Hanniffy of Suite 21, Oran Court, Orantown Centre, Oranmore, County Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Changes to the development previously granted planning permission under planning authority register reference 19/32 and as described as follows: (i) retention of the change of design of the dormer extension to the existing dwellinghouse and permission to complete the construction; (ii) retention of the change of design of alterations to the original dwellinghouse and permission to complete the construction; (iii) retention of the change of design of the new domestic garage structure and permission to complete the construction; (iv) retention for the change of location of the proprietary effluent treatment system and associated percolation area to facilitate the new garage structure, at Treanlaur, Oranmore, 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**

Having regard to the location of the site within a rural area, to the compliance with the policies and objectives of the Galway County Development Plan 2022-2028, specifically policy objective RD3 and DM Standards 4 and 6 in relation to domestic extensions and garages, to the previous planning permission that pertained to the site under planning authority register reference 19/32, to the appropriate scale and design of the extensions and alterations, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention and completion would not seriously injure the residential or visual amenities of the area or property in the vicinity nor adversely impact upon the integrity of any European sites. The development proposed for retention and completion would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted to the planning authority on the 21<sup>st</sup> day of October 2023, 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. The domestic garage shall be used for domestic storage purposes only and shall not be used as a habitable room or for 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.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

4. The mature hedgerows, walled boundaries and fencing along the appeal site boundaries shall be maintained in situ.

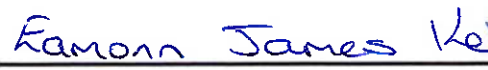
**Reason:** In the interest of visual amenity.

5. The development shall be served by the wastewater treatment system and percolation area which shall be retained and maintained in accordance with the details received with the planning application on the 11<sup>th</sup> day of March 2023, and shall be in accordance with the requirements of the document entitled "Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )" – Environmental Protection Agency, 2021. No other system shall be installed unless agreed in writing with the planning authority.

**Reason:** In the interest of public health and to prevent water pollution.

6. The landscaping scheme, as submitted to the planning authority on the 11<sup>th</sup> day of March 2023, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

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

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



Dated this 19<sup>th</sup> day of November, 2024.