

An
Bord
Pleanála

Board Order ABP-319591-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 23/60033

Appeal by Enda Gallagher and others care of 172a Clochog, Oranmore, County Galway against the decision made on the 28th day of March, 2024 by Galway City Council to grant subject to conditions a permission to Bébhinn and Maxim Kelly care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of demolition of dilapidated rear conservatory and utility. Retention of rear conservatory and kitchen extension comprising an additional 10 square metres rear extension floor area. Retention of two-square-metre front porch. Retention of alterations to existing window in north-west gable reducing glass area from 1.3 square metres clear glass to 0.5 square metres obscure glass. Retention of shed. Retention of all other associated site works, all at 65 Renmore Park, Renmore, Galway.

Decision

GRANT permission for the above 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 scale of the development proposed to be retained, the planning history of the site, the permanent obscuring of the windows on the north-western gable of the dwelling, and the appropriate screening of the patios to the front and rear of the property, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area, would not be prejudicial to public health or adversely affect the environment, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 27th day of February, 2024, 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 and the development shall be retained in accordance with the agreed particulars.
Reason: In the interest of clarity.

2.
 - (a) The two ground floor windows in the north-western gable of the dwelling shall be permanently obscured by opaque glazing and shall be non-openable.
 - (b) A screen wall, of block construction and suitably capped, shall be constructed along to the western side of the front patio to a height of 1.8 metres with a rendered finish to match the external finishes of the existing dwelling.


- (c) The site boundary to the west of the rear patio shall be defined by Cedral timber effect cladding (or similar) to a height of 1.8 metres.

Proposals illustrating compliance with the foregoing shall be submitted for the written agreement of the planning authority and all such works shall be completed to the satisfaction of the planning authority within three months of the date of this order.

Reason: To prevent direct overlooking of the adjacent residential 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. Proposals illustrating compliance with the foregoing shall be submitted for the written agreement of the planning authority and all associated works shall be completed to the satisfaction of the planning authority within three months of the date of this order.

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



4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within eight weeks of the date of this order, or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Liam McGree

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 10 day of DECEMBER 2024.