



An
Bord
Pleanála

Board Order ABP-320037-24

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 24/22

Appeal by William and Sheila Connell care of David Mac Neela and Associates of 12 Oakley Crescent, Galway against the decision made on the 5th day of June, 2024 by Galway City Council to grant subject to conditions a permission to Margaret Scott care of Fergal Bradley and Company Limited of Augustine Court, Saint Augustine Street, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of a garden shed and the construction of a home office/shed building within rear garden at 18 The Maples, Salthill, 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

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Galway City Development Plan 2023-2029, would not be out of character with the surrounding area, would not be visually detrimental to the area, would not impact negatively on the residential amenities of the area, and would, therefore, be in accordance with the proper and sustainable development of the area.

Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be used exclusively for the carrying out of office type work and shall not be used for any other purpose other than a purpose incidental to the enjoyment of the dwellinghouse, and shall not be used for commercial purposes without a prior grant of planning permission. In addition, the proposed development shall not be separated from the main dwellinghouse by lease or by sale.

Reason: In the interest of residential amenity.

3. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to 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: In the interest of public health.

5. The developer shall pay to the planning authority a financial contribution of 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 prior to commencement of development 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. The application of any indexation required by this condition 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.

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.



Stephen Bohan

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

Dated this 11th day of November 2024.