

An  
Bord  
Pleanála

Board Order  
ABP-320220-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 24/25**

**Appeal** by Peadar and Mary Canavan care of N.J. Kearns and Company Limited Architects of Unit 6 Dún Éibhir, Na Forbacha, Contae na Gaillimhe against the decision made on the 25<sup>th</sup> day of June, 2024 by Galway City Council to grant subject to conditions a permission to Tomás Grealish of Carnmore, Oranmore, County Galway in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** To retain rear extension and elevation changes to dwelling house under construction and all associated site works and services at Ballagh, Bushypark, 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, the proposed development for which retention of planning permission is sought, subject to compliance with the conditions set out below, would not be out of character with the surrounding area, would not adversely impact on the visual amenities of the area, would not result in a development of excessive scale which would give rise to an overbearing or overshadowing impact and therefore would not impact negatively upon the current levels of residential amenity enjoyed residents in the vicinity. The proposed development to be retained would, therefore, be in accordance with the proper 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, 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 and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The roof above the extension to be retained shall not be used as an outdoor patio or balcony, shall not be accessible except for maintenance purposes only. The proposed doors from the lounge area opening onto the proposed patio/balcony area shall be replaced by a window, details of which shall be agreed in writing with the planning authority.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

3. 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 within three months 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.

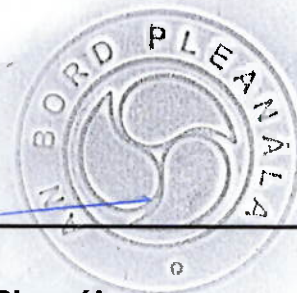
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission



**Paul Caprani**

**Member of An Bord Pleanála**

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



Dated this 18<sup>th</sup> day of February 2025