



An
Bord
Pleanála

Board Order ABP-321570-25

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 24/60322

Appeal by Mark and Mary Hanley of 12 Kingston Gardens, Kingston, Taylor's Hill, Galway against the decision made on the 27th day of November, 2024 by Galway City Council to grant permission, subject to conditions, to Eva Quaid care of Sotoparra Architecture and Design Limited of 2 Gort na Bro, Millers Lane, Galway for the proposed development.

Proposed Development: Retention and completion for modifications to previously approved plans Planning Reference 22/120 comprising revised site layout, area increment at ground floor, alterations to house elevations, together with and all associated site services and development works at 30 Kingston Road, 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 subject site within an urban area, the provisions of the Galway City Development Plan 2023-2029, the nature, scale and form of the proposed revisions to the permitted development and the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would constitute an appropriate use of this urban location and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application to the planning authority (Planning Register Reference Number 24/60322), 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission Planning Register Reference Number 22/120 unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. No access, including via the provision of doorways, to either of the flat roof areas (both above ground floor level and above first floor level) shall be provided and such flat roofs shall be accessed for maintenance purposes only. Within three months of the date of this Order the developer shall submit for the written agreement of the planning authority elevation drawings to scale 1:100 or 1:200 confirming this and clearly showing no external doorways above ground floor level. The drawings submitted shall be consistent with the drawings submitted to the planning authority with this application drawing numbers 1342-09, 1342-10, 1342-11, 1342-13, 1342-14 and 1342-15 dated the 7th day of March, 2023 except insofar as is required to comply with this condition.

Reason: To prevent overlooking and to protect residential amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 (as amended), and any statutory provision amending or replacing them, the use of the attic area shall be restricted to storage purposes only.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the permission.

5. 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 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.



Marie O'Connor

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 24 day of April 2025