An Coimisiún Pleanála

Commission Order
PL-501744-GY-26

Planning and Development Acts 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2660733

APPEAL by Eamonn Murray against the decision made on the 2nd day of July 2026 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Installation of a timber frame balcony to a two-storey chalet at Aill an Phréacháin, The Chalet, 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, on the landward side of the Galway Bay Scenic Route (R336), outside the scope of the Protected View (Angle Ref. 29, to the limited and transient views of the site when approaching from the west on the R336, to the extensive boundary treatments present that limit views into the site from the adjacent roadways, to the limited nature of the proposed development, and to the absence of any provision in the Galway County Development Plan 2022-2028 that prohibits balconies, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, including property in the vicinity, does not conflict with DM Standard 4 (House Extensions (Urban and Rural)) and Policy Objective PVSR 1 (Protected Views and Scenic Routes) of the Plan, and that it would not detract from the visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission did not agree with the Inspector that the brief and limited view of the proposed development when travelling from the west towards the site would unduly impact negatively on the Scenic Route or the visual amenities of the area. The extensive boundary treatments on site, conditioned to be maintained, significantly militate drawing attention to the proposed development.

The Commission did not agree with the Inspector that the balcony exceeded the external dimensions of the side gable, or that it was disproportionate to the size of the chalet or dominated it. Conditions to exclude enclosing of the balcony itself or the area below will prevent the creation of a dominant feature.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the planning authority on the 13th day of May 2026, 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 balcony, the subject of this grant of permission shall not be enclosed, nor shall the area beneath the balcony be enclosed without a further grant of permission.

   Reason: In the interest of residential amenity.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out internally or externally on the premises without a prior grant of planning permission.

   Reason: In the interest of residential amenity.

4. The developer shall maintain the existing boundary treatments (height, width and depth) to the satisfaction of the planning authority to ensure ongoing screening of the proposed development.

   Reason: In the interest of maintaining visual amenity.

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 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. 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 Coimisiún 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.

Declan Moore
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 22nd **day of** October **2026**