



An  
Bord  
Pleanála

## Inspector's Report ABP301886-18

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<b>Development</b>	Extension/alterations to existing dwellinghouse.
<b>Location</b>	No. 2 Roselyn Gardens, Renmore, Galway.
<b>Planning Authority</b>	Galway City Council.
<b>Planning Authority Reg. Ref.</b>	17/330.
<b>Applicant</b>	Edward Fallon.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party -v- Refusal.
<b>Appellant</b>	Edward Fallon.
<b>Observers</b>	(i) Michael and Patricia O'Sullivan, (ii) Brenda Burke.
<b>Date of Site Inspection</b>	18 <sup>th</sup> September, 2018.
<b>Inspector</b>	Paul Caprani.

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## 1.0 Introduction

ABP301886-18 relates to a first party appeal against the decision of Galway City Council to issue notification to refuse planning permission for a two-storey extension together with alterations to an existing dwellinghouse at No. 2 Roselyn Gardens, Renmore, County Galway. Galway City Council refused planning permission on the grounds that it considered that the height, scale and massing of the proposed extension to be excessive and the proposed extension would result in an insufficient amount of residual private open space. Both adjoining neighbours submitted observations objecting to the proposal and supporting the planning authority's decision.

## 2.0 Site Location and Description

No. 2 Roselyn Gardens is located in the suburban area of Renmore in the south-eastern environs of Galway City. Roselyn Gardens is located within a large residential estate located between the Dublin Road and the Dublin to Galway Railway line approximately 2.5 kilometres to the east of Galway City Centre. Roselyn Gardens comprises of four blocks of semi-detached houses which face northwards. No. 2 is the penultimate house on the eastern end of the block, contiguous to house No. 1. It comprises of a rectangular two-storey house with a hall leading to a sitting room and a kitchen/dining area to the rear. Three modest sized bedrooms and a bathroom are located at first floor level. The rear garden accommodates a boiler house and a shed. The rear garden is approximately seven metres in width and 9 metres in length. The houses along the southern side of Roselyn Gardens back onto an area of open space beyond which the Dublin/Galway Railway line is located.

## 3.0 Proposed Development

- 3.1. Planning permission is sought for a two-storey flat pitched extension to the rear to accommodate a new kitchen/dining/'snug' area to the rear together with the reconfiguration of the internal layout within the existing kitchen/dining area at the rear of the house. At first floor level it is proposed to reconfigure the existing layout to

provide four bedrooms, two of which are located in the new rear extension. It is also proposed to incorporate a walk-in wardrobe and relocate the bathroom within the layout at first floor level. The extension is to extend to the entire width of the existing dwellinghouse (5.733 metres) and is to extend a depth of 4.1 metres. The residual private open space to the rear is calculated on the drawings submitted as 26.3 square metres (extended to 34 sq.m by way of an additional information submission).

- 3.2. It is also proposed to incorporate a new porch area at the main entrance to the front of the dwellinghouse. The proposed extension to the rear is to incorporate a flat pitched roof extending to a height of 5.713 metres. A trocal roof finish is proposed. A small A shaped pitched roof is proposed on the front porch. It is also proposed to provide a new velux window in the rear roof pitch in order to provide natural light to the relocated bathroom at first floor level.
- 3.3. The Planning Application Form submitted as part of the application indicates that the existing dwellinghouse has a gross floor area of 84 square metres while the proposed extension amounts to 39.1 square metres.

#### 4.0 Planning Authority's Decision

Galway City Council issued notification to refuse planning permission for two reasons which are set out in full below.

1. *The proposed two-storey rear extension is considered to be excessive in terms of height, scale and massing. In this context it is considered that the proposed two-storey rear extension would be unduly dominant and if granted would be detrimental to both visual and residential amenity in the area and set an undesirable precedent for similar developments. Hence, it is considered that the proposed development would be contrary to the Galway City Development Plan 2017 – 2023 and the proper planning and sustainable development of the area.*
2. *Section 11.3.1(c) of the Galway City Development Plan 2017 – 2023 states that “private open space (areas not overlooked from the public road) exclusive of car spaces shall be provided at a rate of not less than 50% of the gross floor area of the residential units”. The site layout plan indicates that the rear*

*garden measures 34 square metres which is well below the 50% development plan standard. Hence, it is considered that the development would be contrary to Galway City Council's Development Plan 2017 – 2023 and the proper planning and sustainable development of the area.*

#### **4.1. Planning Authority's Assessment**

- 4.1.1. The planning application was lodged with Galway City Council on the 28<sup>th</sup> November, 2017.
- 4.1.2. A covering letter submitted with the application notes that while the proposed extension cannot be classified as exempted development, the area of the extension will be less than the stipulated 40 square metres and the residual area of private open space to the rear will exceed the requirement for 25 square metres in order to avail of exempted development status. It also notes that the open lands to the rear of the site are zoned recreational and amenity and will never be developed for residential purposes and therefore windows on the rear of the extension will not result in any overlooking.
- 4.1.3. Two observations were submitted to Galway City Council from the owners of adjoining properties expressing concerns in relation to overlooking, mass density and height, potential impacts on overshadowing and right to light. Concerns were also expressed in a separate observation in relation to potential overhanging of adjoining properties, asbestos removal and access for construction works.
- 4.1.4. The applicant submitted unsolicited additional information in respect of the issues raised.

#### **4.2. Further Information Request**

- 4.2.1. The initial planner's report dated 29<sup>th</sup> January, 2018 requested further information in relation to the following:
  - The applicant is requested to address concerns in relation to the overall, height, scale and dimensions of the proposed extension.

- The applicant is requested to provide details of a shadow analysis demonstrating that the proposal will not give rise to significant impacts in terms of overshadowing.
- Concerns are expressed that the proposal contravenes Section 11.3.1(c) of the Galway City Development Plan in relation to the amount of residual private open space to the rear which would result after the extension.
- The applicant is advised to provide revisions to the existing vehicular entrance as it does not comply with standards set out in Section 11.3.1(g) in relation to car parking.
- The public notices do not specifically refer to the demolition of the boiler house and therefore the applicant is required to publish a new notice as part of a significant further information response.

#### 4.3. Further Information Submission

- 4.3.1. Further information was submitted by MJ Designs on behalf of the applicant on 30<sup>th</sup> April, 2018. It is briefly summarised below.

Modified plans were submitted which incorporated the following:

- The existing boiler house and shed to the rear of No. 2 Roselyn Gardens has been removed in order to increase open space. The rear extension has been set back from the boundary to ensure that there is no oversailing of adjoining property.
- Details of a shadow analysis are also submitted which concludes that the proposed development will not have a significant impact on the adjoining residential properties at Nos. 1 or 3 Roselyn Gardens. It concludes that there will be no adverse impact on No. 3 Roselyn Gardens while they will be 'susceptible to slight impact' on sunlight access at No. 1. As the rear garden shed is being demolished, the open space is now increased from 26 square metres to 34 square metres. This is deemed to be an adequate level of private amenity for an extended house.

- The front vehicular entrance has been revised and it is now 3 metres in width as permitted under the provisions of the development plan. New public notices have also been prepared.
- It is also stated that there have been precedent decisions in the Roselyn Gardens area where private amenity open space to the rear is less than 50% of the floor area of the extended house.
- The response goes onto address the various concerns raised in the submissions by neighbours.

#### **4.4. Further Assessment by the Planning Authority**

- 4.4.1. A further submission was made from the occupants of No. 3 Roselyn Gardens reiterating concerns in relation to the size and scale of the proposed development and potential impact on overshadowing and amenity space. Similar concerns were expressed in a letter submitted by the occupant of No. 1 Roselyn Gardens.
- 4.4.2. A further planner's report prepared on foot of the additional information noted the following:
- The applicant has made a number of very minor alterations to the two-storey extension as originally proposed but has failed to address the concerns raised with regard to visual dominance. The conclusions drawn in the assessment with regard to overshadowing has been noted.
  - With regard to private amenity space measuring 34 square metres, it is noted that this represents 26% of the gross floor area of the proposed dwellinghouse which is well below the 50% requirement. The 34 square metres of private amenity space, which has a depth of only 5 metres, is considered to be substandard. As such, the proposed development is considered to be unacceptable and if granted, could set an undesirable precedent for similar developments in the local area. Alterations made to the vehicular entrance and the demolition of the boiler house are deemed to be acceptable.
- 4.4.3. Arising from the planner's assessment it was recommended that planning permission be refused for the two reasons set out above. In its decision dated 24<sup>th</sup> May, 2018

Galway City County Council issued notification to refuse planning permission for two reasons as set out above.

## 5.0 Planning History

There appears to be no relevant planning history associated with the subject site. Details of three decisions by the Board and the inspector's report relating these decisions are attached to the rear of the file. These relate to residential type developments in and around the Renmore area but specifically relate to new dwellings within existing residential plots on rear and side gardens and do not specifically relate to extensions.

## 6.0 Grounds of Appeal

- 6.1. The decision of Galway City Council to issue notification to grant planning permission was appealed on behalf of the applicants by MJ Designs Consulting Engineers and Architectural Designers. The grounds of appeal are outlined below.
- 6.2. The grounds of appeal argue that the existing modest house is on a very tight site and there is no development potential to the rear of the house as it overlooks recreational and amenity zoned lands. The mainline city sewer, the proposed route of the cycle greenway together with public transport corridor and railway line all run through the above mentioned recreational and amenity zoned lands. The applicants have a young family and wish to live in the house for the long term and they also plan to extend their family. It is necessary to extend the house to provide for the living accommodation.
- 6.3. In terms of the first reason for refusal it is stated that the overall height of the dwelling is 5.7 metres and this cannot be considered excessive in the context of the needs of a growing family. The existing ridgeline of the house is 7.7 metres, 2 metres below the ridge height of the house. The proposed extension will only be visible from the rear. The applicant has have removed the parapet walls to reduce the overall height. There is no overhanging to the side of the property with No. 1 Roselyn Gardens. Reference is made to the large extension (see Plate 3 on page 7 of Grounds of Appeal) that is located at No. 4 Roselyn Gardens. Reference is made to a number of precedent decisions where Galway City Council have granted planning



permission for large two-storey extensions in the city. Details of these permissions together with drawings are also set out in the grounds of appeal.

- 6.4. The second reason for refusal states that the proposal does not comply with Section 11.3.1(c) of the development plan in that private amenity open space should be provided at a rate of not less than 50% of the gross floor area of the residential unit. It is highlighted that the development plan specifically states that “the scale of proposed extensions shall ensure that adequate levels of private open space is retained on site”.
- 6.5. The grounds of appeal go on to cite examples whereby if the 50% open space requirement was applied in all instances, there would be many situations whereby no extension would be permitted to the dwellinghouse as it would result in residual private amenity open space being less than 50% of the floor area of the dwelling.
- 6.6. Reference is made to the exempted development provisions in respect of house extensions and it is noted that a residual area of 25 square metres in the rear garden is deemed to be acceptable in order to avail of the exempted development provisions for house extensions under the Regulations. It is stated that this figure should therefore be acceptable to Galway County Council. The applicant is willing to demolish the garden shed and boiler house (it is stated that a heat pump will be installed) so that the area of private amenity open space will be 24 square metres and it is argued that this is an adequate level of private amenity space. It is also stated that Galway County Council has set a precedent in relation to reduced private amenity space at No. 8 Roselyn Gardens where the Planning Authority accepted a level of open space which equated to only 28% of the total floor area of the extended house.
- 6.7. In relation to overlooking the grounds of appeal highlight the fact that the planner’s report acknowledged that no overlooking would occur as a result of the proposed development.
- 6.8. In terms of overshadowing Galway County Council sought a shadow survey report and this was submitted by way of additional information. \_\_\_\_\_ included that the proposed development would not have a significant impact on either No. 1 or No. 3 Roselyn Gardens.

6.9. Finally, drawings are submitted with the grounds of appeal which indicate the type of development that could be constructed under the exempted development regulations and in the applicant's opinion it is similar in terms of design, scale, mass and footprint notwithstanding the fact that they would be classed as exempted development under the Planning and Development Regulations.

## 7.0 Appeal Responses

- 7.1. Galway City Council submitted a response to the grounds of appeal on 20<sup>th</sup> July, 2018. It is acknowledged that the development seeks to cater for the applicant's growing family. However, as will be noted from the planning file two third party objections were received from adjoining neighbours whereon valid concerns and objections were raised. It is in this context that Galway City Council considered it appropriate to refuse planning permission.
- 7.2. With regard to the issue of precedent the Planning Authority wish to highlight that the urban/suburban context in the case of the applications quoted are completely different to that of the development site. In each of the precedents referred to it is stated that the neighbouring dwellings had the benefit of large domestic extensions. Furthermore, each of the rear gardens were much larger than No. 2 Roselyn Gardens. And there were no third party objections on the files referred to.
- 7.3. While reference is made to the extension at No. 4 Roselyn Gardens the Galway City Council response indicates that this structure does not appear to have the benefit of planning permission. However, the extension appears to have been in place in excess of 7 years and as such the Planning Authority are statute barred from initiating enforcement proceedings.
- 7.4. With regard to reference to No. 8 Roselyn Gardens where planning permission was permitted for an extension that resulted in a residual area of private open space being less than 50% of the gross floor area of the dwelling, it is stated that this dwellinghouse has the benefit of a side garden and that a public park is located to the west of the extension as granted. In turn the proposal did not give rise to any issues relating to height, scale, massing or overshadowing and therefore the proposal was considered to be acceptable.

7.5. The Planning Authority therefore respectfully request that the decision to refuse planning permission is upheld by An Bord Pleanála.

## 8.0 Observations

### 8.1. Observation from Michael and Patricia O'Sullivan of 3 Roselyn Gardens

- 8.1.1. An observation was submitted on behalf of the observers by David MacNeela and Associates, Consulting Engineers.
- 8.1.2. The observers live in the adjacent dwelling to the west. It is argued that the proposed development will have a detrimental impact on their enjoyment and amenity. The proposal will result in a 45% reduction in private amenity space and the proposed ratio of private amenity space to floor area would be a mere 26.4%.
- 8.1.3. It is argued that the proposed high level window on the side elevation will result in overlooking of the observers' rear garden.
- 8.1.4. It is argued that the proposed development will contravene many of the policy statements contained in the development plan specifically those policy statements set out in Section 11.3.1 of the development plan with regard to amenity open space provision, overlooking, daylight and sunlight and residential extensions.
- 8.1.5. While it is acknowledged that the proposed rear extension will not be visible from the front of the dwellinghouse the proposed large extension will be viewed daily from the rear garden of No. 3 and from the area of open space to the south which is zoned for recreation and amenity where it is proposed to accommodate a new cycle greenway.
- 8.1.6. Reference is made to the various precedent decisions cited in the grounds of appeal and states that these precedent decisions do not contravene many of the policy statements set out in the development plan under the provisions of Section 11.3.1 and therefore are not strictly applicable as precedent decisions in adjudicating on the current application.
- 8.1.7. With regard to the second reasons for refusal the observation cites numerous decisions made by Galway City Council where planning permission was refused for similar type extensions on the grounds that they did not meet the ratio of 50% private open space to the rear of the dwelling.

- 8.1.8. While the appellant in the grounds of appeal argues that the proposed development complies with the 25 square metres open space provision set out in the exempted development regulations for rear extensions, the observation points out that the proposal before the Board does not comply with many other conditions and limitations associated with this exempted development provision.
- 8.1.9. Concerns are also expressed in relation to overshadowing. If planning permission was granted for the development it would create a precedent whereby No. 4 Roselyn Gardens could carry out a similar type extension which would result in the observer's dwelling being overshadowed practically all day throughout the year.
- 8.1.10. The observers also experience significant solar gain as a result of the south facing aspect of the rear garden including during the winter months. It is argued that this would be lost if the proposed extension were permitted. It is suggested that the shadow casting analysis submitted by way of additional information under-represents the amount of shadow casting that will actually result on the ground as a result of the proposed development.
- 8.1.11. The incorporation of a window on the side elevation of the proposed extension could limit the development potential of any subsequent proposed extension at No. 3 Roselyn Gardens as it could give rise to light issues.
- 8.1.12. Finally, the observation states that it cannot comment on the extension at No. 4 Roselyn Gardens as this extension existed prior to the observer's buying No. 3 Roselyn Gardens.

## 8.2. **Observation of Brenda Burke of No. 1 Roselyn Gardens**

This observation objects to the proposed development on the following grounds:

The double height extension will give rise to excessive overshadowing and will reduce the period of sunlight to the rear of the house.

The rear bedroom window of No. 1 Roselyn Gardens currently experiences a panoramic view of the sea and the mountains. If the extension is approved the rear bedroom window will be curtailed by a large wall. The proposal will impact on the observer's quality of life and will result in devaluation of the observer's property. Finally, it is confirmed that the shed within the observer's property (No. 1 Roselyn Gardens) is the same as that constructed when the houses were first built.

## 9.0 Development Plan Provision

- 9.1. The site is governed by the policies and provisions contained in the Galway City Development Plan 2017 – 2023. The subject site is zoned for residential development. Lands to the south of the site are zoned for recreation and amenity. The lands to the south of the site are also earmarked as indicative routes for a new public transport corridor and a new greenway cycle network.
- 9.2. Chapter 11 of the plan sets out land use zoning objectives and development standards and guidelines. Section 11.3.1(c) sets out details for amenity open space provision in residential developments. Private open space (areas generally not overlooked from a public road) exclusive of car parking spaces shall be provided at a rate of not less than 50% of the gross floor area of the residential unit.
- 9.3. Section 11.3.1(d) relates to overlooking. It states that residential units do not directly overlook private open space or land with development potential from above ground floor level by less than 11 metres minimum.
- 9.4. Section 11.3.1(e) states that all buildings should receive adequate daylight and sunlight. All habitable rooms must be naturally ventilated and lit and living rooms and bedrooms shall not be lit solely by rooflights.
- 9.5. Section 11.3.1(l) relates to residential extensions. It states that the design and layout of extensions to houses should complement the character and form of the existing building having regard to its context and adjacent residential amenities.

## 10.0 Planning Assessment

- 10.1. Galway City Council in its decision refused planning permission for two reasons relating to the overall height and scale and massing of the proposed extension and that the proposal is contrary to development plan provision with regard to private amenity space. I have read the entire contents of the file, visited the site in question and have had particular regard to the issues raised in the grounds of appeal. I consider the Board can restrict its deliberations to the two reasons for refusal cited by the Planning Authority namely the size and scale of the proposed extension and the impact of the extension on the residual open space to the rear.

10.2. In relation to the first reason for refusal there should be in my opinion a reasonable expectation that the applicant be permitted to extend the house, subject to qualitative safeguards in order to accommodate and facilitate the growing needs of a family. I would however have a number of concerns in relation to the overall design and scale of the extension proposed in this instance. The overall height and bulk of the extension in my opinion is somewhat excessive. The height extends above the parapet level of the roof profile of the existing house. The incorporation of a trocal flat roof finish together with a large parapet wall adjacent to the boundary of No. 1 Roselyn Gardens is visually incongruous in my opinion. This parapet wall is c.6 metres in height and over 3 times the height of the existing party wall between No. 1 and No. 2 Roselyn Gardens. The overall size and scale of the eastern elevation of the proposed extension is excessive in my opinion and will have an overbearing impact on the adjoining amenities at No. 1 Roselyn Gardens. The proposed extension is to extend to a depth of over 4 metres from the rear of the dwellinghouse. The overall size, scale and depth of the extension will undoubtedly adversely impact on the residential amenities particularly of No. 1 Roselyn Gardens. The incorporation high level ground floor window on the western elevation of the proposed extension may also be problematic in my view. The observations submitted on behalf of No. 3 Roselyn Gardens reasonably points out in my opinion that the presence of a window on the western gable could significantly and materially impact on the development potential of the adjacent dwellinghouse as any extension to the rear of No. 3 could impact on the applicant's right to light. It would be more appropriate in my opinion that all fenestration arrangements in the case of a rear extension on the subject site be restricted to the rear elevation.

10.3. The grounds of appeal argue that the proposed extension will have a negligible impact on adjoining amenity by reason of overshadowing. It is clear from the shadow casting diagram submitted by the applicant on foot of a request for additional information that the proposed extension will have a significant impact during the afternoon period on No. 1 Roselyn Gardens both for the summer solstice, winter solstice and the equinox. Furthermore, I would anticipate that a similar impact would occur in the early morning period in the case of No. 3 Roselyn Gardens. I note that the shadow casting diagram submitted assessed the shadow casting which is likely to occur at midday and in the afternoon. No shadow casting analysis was undertaken

for the morning period where shadow casting would occur as a result of the extension on the rear façade and rear garden of No. 3 Roselyn Gardens.

- 10.4. Based on the above assessment therefore, I would agree with Galway City Council's first reason for refusal that the proposed two-storey extension by reason of its height, scale, and massing would have an unacceptable impact on both the visual and residential amenity of the area and would set an undesirable precedent in this regard.
- 10.5. The second reason for refusal states that the proposed development would be contrary to the development plan on the grounds that it contravenes Section 11.3.1(c) of the said Plan. The Plan states that private open space (areas generally not overlooked from the public road exclusive of car parking spaces shall be provided at a rate of not less 50% of the gross floor area of the residential unit. The existing floor area of the house is 84 square metres. According to the documentation submitted with the planning application the gross floor area of the proposed extension amounts to 39.1 square metres giving an overall floor area of 123 square metres. In accordance with the requirements of 11.3.1(c) the residual open space to the rear of the dwellinghouse required to comply with the above standard would be 61.5 square metres. The residual open space provided falls well short of this at 34 square metres. The development plan is clear and unambiguous in stating that private open space "shall" be provided at a rate of not less 50% of the gross floor area of the residential unit. It is clear that the proposed development does not comply with the standards set out in the development plan.
- 10.6. I do acknowledge the arguments set out in the grounds of appeal that the imposition of such a standard militates against the provision of large scale extensions on modestly sized sites particularly where such sites have small backgardens. The application of such a standard would make it difficult to provide generous sized extensions in inner suburban sites where historically plot sizes are less generous. I would also be in general agreement with the applicant that the provision of a private amenity area to the rear of 34 square metres would be generally acceptable and would provide a sufficient amenity space to cater for the occupants of the proposed dwellings. I further acknowledge the arguments set out in the grounds of appeal that the private amenity area to the rear of the dwelling is in excess of that required to

avail of exempted development status under Class 1 and Condition and Limitation 5 of Schedule 2 of Part 1 of the Exempted Development Regulations.

- 10.7. On balance and having particular regard to the clear policy statements contained in the development plan I would conclude that the proposed development is contrary to the standards set out in Section 11.3.1(c) in respect of amenity open space provisions in residential developments.
- 10.8. Finally, with regard to the issue of precedent, I note that the grounds of appeal together with the Planning Authority's response to the grounds of appeal and the observation contained on file on behalf of No. 3 Roselyn Gardens all make reference to various precedent decisions in order to support the arguments put forward. I remain to be convinced that the precedents referred to are directly relevant to the current application and appeal before the Board. As the Planning Authority point out in its response to the grounds of appeal that the precedents referred to relate to completely different urban/suburban layout within the city and for this reason are not strictly applicable to the application before the Board. Reference is made to No. 8 Roselyn Gardens as a relevant precedent. I note however that this dwellinghouse which is located at the western end of Roselyn Gardens was located on a larger plot and incorporates a side garden. In the case of No. 4 Roselyn Gardens which is located two doors away from the subject site it appears from the submission of Galway City Council that this extension was not the subject of any planning application.

## 11.0 Conclusions and Recommendation

Arising from my assessment above I consider the proposed development to be contrary to the proper planning and sustainable development of the area on the grounds that the height, size and scale of the proposed development would seriously injure the residential amenities of Nos. 1 and 3 Roselyn Gardens and would contravene policy statements in the development plan with regard to the provision of private open space. I therefore recommend that the decision of Galway City Council be upheld in this instance and that planning permission be refused for the proposed development.



## 12.0 **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 13.0 **EIA Screening Determination**

The proposed residential extension does not fall within a class of development for which EIA is required.

## 14.0 **Decision**

Refuse planning permission for the proposed development based on the reasons and considerations set out below.

## 15.0 **Reasons and Considerations**

1. Having regard to the pattern of development in the area and the scale of the development proposed, it is considered that the proposed extension by reason of its scale, bulk and proximity to site boundaries, would seriously injure the residential amenities and depreciate the value of adjoining properties by reason of visual intrusion and overshadowing. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the proposed development would contravene Section 11.3.1(c) of the Galway City Development Plan 2017 – 2023 which requires that private open space (areas generally not overlooked from the public road) exclusive of car spaces shall be provided at a rate of not less than 50% of the gross floor area of the residential unit. The residual rear garden at 34 square

metres would contravene the above standard and would, therefore, be contrary to the proper planning and sustainable development of the area.

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Paul Caprani,  
Senior Planning Inspector.

5th November, 2018.