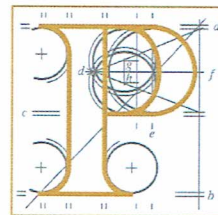


Our Ref: ABP-302432-18

PA Reg Ref: 18194

Your Ref: Kevin & Peter Carroll Executors of Ms Nora Carroll



An
Bord
Pleanála

Don Silke
Silke Architects Ltd
9 Radharc Na Farraige
Ballymoneen Road
Galway

28 DEC 2018

Re: Outline Permission for a) alterations, including demolition of single storey side extension, garden shed and inner garden wall; construction of single storey extension to the rear, new vehicular site entrance, b) division of existing house site to form two separate sites with new dividing boundary wall; c) construction of a house on the newly separated site and all associated works.
23 Moyola Park, Newcastle, Galway.

Dear Sir / Madam

An order has been made by An Bord Pleanála determining the above-mentioned appeal under the Planning and Development Acts 2000 to 2018. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

In cases where a grant of (full) planning permission is notified by the Board, it is policy to include a copy of the Department of the Environment and Local Government's Leaflet PL11 - Guide to the Building Control System and a copy of the Health and Safety Authority's leaflet Safety and Health on Construction Projects - The Role of Clients with the notification. These leaflets are issued at the request of the above bodies.

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

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(01) 858 8100
1890 275 175
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www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

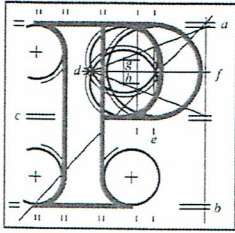
64 Marlborough Street
Dublin 1
D01 V902

A further enclosure contains information in relation to challenges by way of judicial review to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

Yours faithfully,

Regina Fitzgerald
Regina Fitzgerald
Executive Officer

Encls. BP100LN



An
Bord
Pleanála

Board Order
ABP-302432-18

Planning and Development Acts 2000 to 2018

Planning Authority: Galway City Council

Planning Register Reference Number: 18/194.

Appeal by Kevin and Peter Carroll, executors of the estate of Nora Carroll care of Silke Architects of 9 Radharc na Farrage, Ballymoneen Road, Galway against the decision made on the 3rd day of August, 2018 by Galway City Council to refuse outline permission for the proposed development.

Proposed Development: (a) Alterations to existing dwelling including demolition of existing single-storey side extension, blockwork garden shed and inner garden wall; construction of new single-storey extension attached to rear of dwelling; formation of new vehicular site entrance to service existing dwelling; (b) division of existing dwelling site to form two separate sites with new dividing boundary wall; (c) construction of a new two-storey and part single-storey detached dwelling on the newly separated site serviced by the existing vehicular site entrance; alterations to part of existing perimeter boundary wall. All proposed development aforementioned has associated ancillary and site works. The works may also require the diversion of existing underground public services traversing the site to alternative locations beneath the adjacent public footpath and/or roadway. These services may include foul sewer, storm water and potable water mains at 23 Moyola Park, Newcastle, Galway.

Decision

GRANT outline 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 condition set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the provisions of the Galway City Development Plan 2017-2023, the zoning of the site, the location within an existing housing estate, and the pattern of development in the area, it is considered that, subject to compliance with the condition set out below, the proposed development would not seriously injure the amenities of properties in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

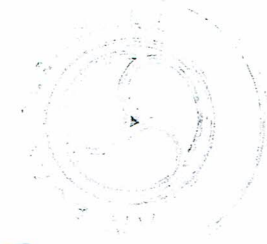
In deciding not to accept the Inspector's recommendation to refuse outline permission, the Board noted the absence of a coherent building line to the west and considered that the site was adequate to accommodate the proposed development. The Board also noted that the Inspector's concerns regarding possible disruption to trees, and provision of water and wastewater, could be addressed by condition.



Condition

1. The plans and particulars to be submitted by way of a separate application for planning permission consequent on this grant of outline permission shall include the following:
 - (a) Adequate proposals for the diversion of existing storm water, foul water, and potable water mains which traverse the site, and a diversion agreement with Irish Water to allow such diversions.
 - (b) Adequate measures to ensure the protection of the existing mature trees, immediately to the west of the site, from damage which might otherwise result from the works required for the diversions mentioned at (a) above.

Reason: In the interests of residential and visual amenities, and orderly development.



John Connolly

Member of An Bord Pleanála

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

Dated this *21st* day of *DECEMBER* 2018.

