



An
Bord
Pleanála

Inspector's Report

ABP-321853-25

Development	Permission for retention of minor changes to elevations of the permitted dwelling including amended fenestration.
Location	63 Threadneedle Road, Salthill, Galway.
Planning Authority	Galway City Council.
Planning Authority Reg. Ref.	24/60177.
Applicant(s)	Cormac & Rosemary Small.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	Pat & Barbara Sheehan
Observer(s)	None.
Date of Site Inspection	6 th March 2025
Inspector	Fergal Ó Bric

1.0 Site Location and Description

- 1.1 The subject site, with a stated area of c.0.10ha, is located at 63 Threadneedle Road, Salthill, Co. Galway. Threadneedle Road is located c. 3.4 kilometres to the west of Galway City Centre and c. 1.1 kilometres north-west of Salthill Promenade.
- 1.2 Threadneedle Road is an established residential area comprising a mix of detached single and two-storey detached contemporary and traditional style dwellings which are served with in-curtilage parking and private amenity space to the rear. The subject site comprises a detached dwelling which is typical within this area.
- 1.3 The subject site comprises a recently constructed contemporary style, detached two storey over basement dwelling with the Jesus and Mary Secondary School and Saint Enda's College both located on the opposite side of Threadneedle Road (R338) to the west of the subject property. The subject site is bound to the north and south by detached dwellings on generous plot sizes

2.0 Proposed Development

- 2.1 Permission for retention is sought for minor changes to elevations of the permitted dwelling including amended fenestration details. The applicants set out that the changes relate to four particular windows, demarcated as Window A on the southern (side) elevation and window D (also south facing), whereby the dimensions/location of the fenestration detailing have been amended from the details permitted under planning reference number 13/94 and also windows B and C on the northern elevation, and the applicants are seeking permission to retain these amended window features. They state that the works would not result in any increase in floor area above that permitted under planning reference 13/94.
- 2.2 The Planning Authority issued a request for additional information in the form of appropriately scaled elevation and floor plans clearly illustrating the location of the alterations sought to be retained and that the applicants facilitate an internal dwelling inspection to be conducted by the Area Planner within the Planning Authority (PA). The applicants submitted revised elevation and floor plans as requested and facilitated an internal site inspection for the Area Planner as requested.

2.4 The Planning Authority conducted their own Appropriate Assessment (AA) screening and determined that 'No Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on these European sites'. The issue of Appropriate Assessment will be addressed in greater detail later as part of this assessment.

2.5 The Planning Authority screened the development for Environmental Impact Assessment and concluded that 'Having regard to the limited nature and scale of the proposed development to an established residential property and the absence of any significant effects on the environment arising from the proposed development, the need for Environmental Impact Assessment (EIA) can, therefore, be excluded at preliminary examination and a screening determination is not required.

3.0 Planning Authority Decision

3.1 Decision

Galway City Council granted planning permission for retention of the changes to the elevations of the permitted dwelling including the amended fenestration detailing subject to a single condition, that the development be retained in accordance with the details and drawings as submitted to the Planning Authority on the 31st day of May 2024 and as revised on the 16th day of December 2024.

3.2 Planning Authority Reports

3.2.1 Planning Reports

The first report of the Planning Officer (dated July 2024) notes the location of the site, details of the development to be retained, the planning history, details of submissions received, and the relevant planning policy. The report notes concern over the absence of details in terms of the development sought to be retained and the dimensions of the elevations and floor plans.

The report made a recommendation that the following additional information be submitted:

- Item 1

To submit scaled elevation and floor plans of the permitted and as constructed dwelling, to clearly indicate the location of the alterations sought to be retained outlined in red.

- Item 2

To make an appointment with the area planners to inspect the interior of the property.

The applicants issued a response to the request for further information request on the 16th day of December 2024 which included for a cover letter and amended plans illustrating the location of the revised fenestration details. The applicants also facilitated an internal inspection of the property with the Area Planner. The responses provided can be summarised as follows:

- Item 1 response:

The applicants made a response which included a cover letter and amended plans indicating the location and nature of the revised fenestration details.

- Item 2 response:

The applicants also facilitated an internal inspection of the property with the Area Planner.

The second report of the Planning Officer considers that the further information response submitted addresses the concerns raised within the first planning report prepared by the PA and that the proposal would, therefore, be acceptable. A recommendation to grant permission was made.

3.3 Other Technical Reports

None received.

3.4 Prescribed Bodies

None received.

3.5 Third Party Observations

The Planning Authority received one observation from a neighbouring resident with regard to the extent of alterations that the applicants have made to their original permission granted under planning reference number 13/94. The issues raised within the observation relate to the following:

- The applicants lodged a Section 5 declaration of exemption to the Board, who deemed that the amendments constituted development, were not exempted development and required planning permission.
- Absence of detail in relation to floor plans being provided, the areas to which retention permission is being sought, the separation distance from the dwelling to site boundaries.
- The retention proposal would impact upon their 'right to light' and devalue their property.
- The separation distance is not in accordance with Section 11.3 1 (d) of the current City Development Plan.
- Raised issues in relation to the validation process conducted by the Planning Authority.
- The window indicated as 'A' on the southern gable within the plans is in close proximity to the objectors' property and would directly overlook their property and adversely impact their residential amenity, notwithstanding the use of opaque glazing. This window could be moved to the western (rear) elevation (as permitted under 13/94) and achieve similar levels of illumination within the dwelling.
- The window denoted as 'D' within the plans would overlook the objectors' property and adversely impact their privacy and should be omitted. The dimensions of this window should revert to those permitted under planning reference 13/94.
- The floor area of the dwelling may have been altered without permission.

4.0 Planning History

The following is the relevant planning history pertaining to the appeal site.

Planning reference number 13/94-The current applicants were granted permission for the demolition of a two storey plus attic level accommodation and outbuildings

and for the construction of a two-storey house with attic level accommodation and all associated site works.

Planning reference number 18/178-The current applicants were granted an extension of duration of planning permission for the development permitted under planning reference 13/94.

Bord reference 312523-22-Section 5 referral where the Board determined that the amendments to the dwelling made on foot of planning reference number 13/94 are development, are not exempted development and would require retention planning permission.

5.0 Policy Context

5.1 Galway City Development Plan 2023-2029

The site is zoned as Residential (R) in the Galway City Council Development Plan 2023 – 2029. The zoning objective seeks to provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.

Other relevant section include:

- Chapter 3: Housing and Sustainable Neighbourhoods
- Chapter 8: Built Heritage, Placemaking and Urban Design
- Chapter 11: Land Use Zoning Objectives and Development Management Standards

Section 11.3.1 (d) Overlooking

Section 11.3.1 (e) Daylight

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 roof lights. Daylight sunlight and/or overshadowing assessment, utilising best practice tools, may be required to assess the impact of development on the amenity of adjoining properties. The requirement for such assessments will be agreed with the planning authority prior to planning application. In this regard, development shall be guided by the quantitative performance approaches and recommendations under the

'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guideline to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' or any updated guidance.

11.3.1 (f) Distance between Dwellings for New Residential Development

- The distance between side gables and side boundaries of dwellings shall generally be a minimum of 1.5 metres

Section 11.3.1 (l) Residential Extensions

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.

5.2 **Natural Heritage Designations**

The subject site is not located within or adjacent to any Natura 2000 sites. The subject site is located c.760 metres to the north of the Galway Bay Complex SAC (site code: 000268) and the Inner Galway Bay SPA (site code: 004031). The subject site is located c.2.4 kilometres to the south-west of the Lough Corrib SAC (site code: 000297).

The subject site is located c.890 m to the north-west of the Galway Bay Complex pNHA (site code: 000268)

5.3 **Environmental Impact Assessment- Screening**

The development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended), and therefore is not subject to EIA requirements (See Appendix 1).

6.0 **The Appeal**

6.1 **Grounds of Appeal**

A third-party Appeal was received from adjoining residents, who reside in the residential property immediately adjoining and south of the appeal site. The grounds of the appeal are summarised below:

- The applicants lodged a Section 5 declaration of exemption to the Board, who deemed that the amendments constituted development, were not exempted development and required planning permission.
- Absence of detail in relation to dimensions within the submitted planning drawings, that floor plans be provided, the areas to which retention permission is being sought should be clearly demarcated and the separation distance from the dwelling to site boundaries should be set out.
- Windows A & D face towards their residential property. Window A on the southern gable is opposite their dining room window. This window is visually obtrusive and affects the privacy and enjoyment of their property.
- The original planning permission under planning reference 13/94 had a window facing west, rather than the southern gable location.
- The retention proposals would impact upon their 'right to light' and devalue their property.
- The separation distance from Window A to their property is not in accordance with Section 11.3 1 (d) of the current City Development Plan.
- Window D has been enlarged from that originally permitted under planning reference 13/94 and now creates overlooking from this congregation area.
- Raised issues in relation to the validation conducted by the Planning Authority.
- The window indicated as 'A' on the southern gable within the plans is in close proximity to the objectors' property and would directly overlook their property and adversely impact their residential amenity, notwithstanding the use of opaque glazing. This window could be moved to the western elevation and achieve similar levels of illumination within the dwelling.
- The window denoted as 'D' within the plans would overlook the objectors' property and adversely impact their privacy and should be omitted. The dimensions of this window should revert to those permitted under planning reference 13/94.
- The floor area of the dwelling may have been altered without permission.
- The appellants have submitted sketch drawings as part of their appeal submission outlining differences in floor and elevation plans and lower ground floor level and first floor level from those permitted under 13/94.

- The appellants have referenced previous board decisions in relation to cases where development has occurred which did not have the benefit of planning permission and were not accurately presented in the documentation submitted and that permitting retention permission would consolidate and intensify the development which did not have the benefit of a permission and, therefore, it would have been inappropriate for the Board to consider the grant permission for retention of the development.
- The Planning Officer stated that the description of development as per the public notices as being 'vague and can relate to almost anything' and yet the Planning Authority subsequently granted planning permission for retention and the alterations, were not subjected to the submission of revised public notices to be submitted to the PA.

6.2 Applicant Response to Third Party Appeal

A response was received from the applicant on the 12th day of March 2025 which sets out the following:

- Window A on the south elevation has had its horizontal width reduced, is fixed pane, non-openable and contains translucent glass, is not transparent and serves an ensuite bathroom.
- This window is in compliance with Section 7.2 of the Sustainable Residential Development in Urban Area Guidelines 2009, the guidance that was applicable at the time of construction.
- The window accords with Clause 5.3.1 of the Sustainable Residential Building Standards 2022.
- Window D on the upper ground floor serves a circulation/hall area (inactive space) has increased in width, but aggregate solid to void ratio of the southern elevation remains as permitted under 13/94 due to the reduction in width of window A.
- This window is in compliance with Section 7.2 of the Sustainable Residential Development in Urban Area Guidelines 2009, the guidance that was applicable at the time of construction.

- The window accords with Clause 5.3.1 of the Sustainable Residential Building Standards 2022.
- The development is in accordance with the permission and condition number 1 of Planning reference 24/60177 including the details and drawings as submitted to the PA on the 16th day of December 2024.
- The development description as included within the public notices was accepted by the Planning Authority and deemed valid on the 31st day of May 2024.

6.3 Planning Authority Response

None received.

6.4 Observers

None received.

7.0 Assessment

Having examined the application details and all other documentation on file, including the reports of the Local Authority, having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development.
- Design/Impact on amenity.
- Other issues

7.1 Principle of Development

7.1.1 The subject site is zoned under Objective Residential (R) in the Galway City Council Development Plan 2023 – 2029. The zoning objective seeks to provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods. The current proposals as per the public notices submitted seeks

permisison for retention of minor changes to the elevations of the permitted dwelling, including amenedd fenestration details. It is, therefore, considered that the retention of the amendments to the permitted dwelling are acceptable in principle.

7.2 Design/Impact on amenity

- 7.2.1 The main concern raised by the appellants relate to the impact upon their residential amenities as a result of the alterations made by the applicants to their permitted development. The appellants consider that the revised fenestration details, specifically window A, which serves the master ensuite bedroom and is located at first floor level and window D also at first floor level and serves a hall area would adversely impact their privacy and amenity. Under planning reference 13/94, Window A was permitted on the eastern (rear elevation) and had dimensions of approximately 1.8 metres x 2.5 metres and has been constructed on the southern elevation and with dimensions of approximately 0.5 metres in width and a height of 2.6 metres. This window is of fixed pane, non-openable and is fitted with translucent glass and serves the ensuite associated with the master bedroom.
- 7.2.2 The appellants contend that window A, notwithstanding the inclusion of translucent glass would adversely impact upon their privacy and residential amenity by virtue of the proximity of this particular window feature to the kitchen window within their property and the orientation of the fenestration feature in question. The appellants state that this window is located between four and five metres from their property. The appellanst reference Section 11.3.1 (d) of the current Galway City Development Plan in relation to 'overlooking' which states that an eleven metres separation between property boundaries should be maintained. This standard refers to overlooking and seems to refer to back-to-back separation distances between residential properties, although this is not specifically stated. I am of the opinion that Section 11.3.1 (f) is the more applicable standard in relation to distances between dwellings which sets out the following 'The distance between side gables and side boundaries of dwellings shall generally be a minimum of 1.5 metres'. I consider that this standard has been achieved in this instance and is a matter that was deemed acceptable when considered under panning reference 13/94. Given the appellants state within their appeal submission that there is at least a 4/5 metre separation distance between the properties, I am satisfied that the separation distances between the gable ends of the two properties,

as required within the current Development Plan is achieved, and exceeded in this instance.

7.2.3 I am satisfied that the development as permitted under 13/94 is not located any closer to the residential property located immediately south (that of the appellants), and this was considered acceptable by the Planning Authority at that time. The appellants have not stated that the dwelling as constructed is located closer to their property, than that permitted under planning reference 13/94. The appellants acknowledge that translucent glass has been installed within Window A. I am satisfied that given the separation distance from the neighbouring property and the use of the translucent glass within same, and that the window is fixed pane (non-openable) that no adverse impact upon the residential amenity of the neighbouring residential property to the south arises in this instance.

7.2.4 In relation to window D, this pertains to a window opening that was permitted under planning reference 13/94 but has subsequently been widened from that originally permitted. This window serves a hallway area and is located at first floor level and is located approximately 8 metres set back from the southern boundary, that adjoining the appellants. Ground levels within the appeal site slope downwards from west to east and this has facilitated the development of the lower ground floor (basement) area, where the kitchen living dining room is located. A boundary wall, approximately three metres in height has been developed along the southern site boundary, that adjoining the appellants' and this overcomes the issue of overlooking of the adjoining neighbouring property from any of the first-floor windows (including windows A & D) that face in a southern direction. I also note that window D serves a hall area and would, therefore, would be more of a circulation area, and does not serve a habitable space, where residents of the house would spend substantial periods of time, unlike a living or kitchen area or indeed a bedroom area. I, therefore, consider that Window D does not adversely impact upon the amenities of neighbouring residential properties, by reason of overlooking.

7.2.5 The appellants have included a sketch plan of the floor plans of the dwelling within the subject site and set out in detail a number of alterations that the applicants have made to their dwelling during the course of the construction works from the plans and particulars that were permitted under planning reference 13/94. Based on the documentation submitted it would appear that the works which are the subject of this

appeal were carried out during the construction of the house. I am of the opinion that these works are structural in nature and given their location at first floor level, between the lower ground floor level and the attic level and could not have been retrofitted post construction. In this regard I refer the Board to the case of *Horne v Freeney* [1982] IEHC 20, a case which centred around internal alterations undertaken during the course of construction of an amusement arcade. In this case it was held that the permission was indivisible, and that the planning permission should have been undertaken in its entirety. Mr. Justice Murphy considered that it was not possible to undertake alterations during construction simply because the variation would have been exempted once the building was completed.

7.2.6 I do not consider that Section 4 (1) (a) of the Planning and Development Act, 2000, as amended, would confer an exemption for the proposal as to avail of exempted development under Section 4(1)(h), the parent development must first have been completed in full accordance with its authorising permission. The appellants have included details of the permitted and existing floor plans and first floor level and lower ground floor level. The appellants have highlighted the differences between the permitted and the existing plans. At first floor level the changes that the appellants have highlighted pertain to the front door location of the dwelling which has moved from the western (front) elevation to now being facing north and being covered by a canopy area. The existing double height fenestration detailing within the kitchen/dining area on the western (front) elevation has been modified to provide for a full double height glazed feature, which was not permitted under 13/94, where there were separate window openings provided at first floor level on this elevation. The footprint of the entrance lobby area has been modified/reduced and has resulted in a reconfiguration of the front entrance hall, including revised location of the toilet and stairwell areas. The appellants also reference the enlarged window opening for Window D and the omission of an east facing window adjacent to window D and that a revised layout has been provided for the master bedroom area, whereby separate internal access doors are now provided to the ensuite and wardrobe areas.

7.2.7 The appellants have similarly set out that at ground floor level the footprint on the western (front) elevation has been reduced in size whereby the permitted plant room, utility area and store room area have been reconfigured and reduced in scale and/or omitted, the exit door to the front garden area has been relocated, the kitchen

/living/dining room area has been reduced in scale and separated from a lobby area and a window in the rear garden area has been changed to a door.

7.2.8 I note that the planning officer within the first planning reports stated the following 'It is important in the event of a retention that the elements the applicants are seeking to retain are clearly identified in the description of the development and in the drawings submitted' The Planning Officer set out the following in relation to the public notices submitted and stated that the description of development is 'vague and can relate to almost anything', and in cases like this 'the drawings should correctly highlight and illuminate the areas to be retained'. I would concur with these statements. The Planning Authority subsequently sought additional information seeking this information. The applicants submitted the revised plans as part of their additional information response, illustrating the permitted floor and elevation plans and the floor and elevation plans as existing. However, the areas that were highlighted and illuminated for retention related to Windows A and D at first floor level only.

7.2.9 However, from the information included within the appellants appeal submission and from my assessment of the planning documentation submitted, it is apparent that there are a number of other areas where alterations were made in terms of the reduced dwelling footprint at lower ground floor and first floor level on the western (front) elevation and this has resulted in the reconfiguration internally at both lower ground and first floor levels, as set out within paragraphs 7.2.6 and 7.2.7 above. Revised public notices were not submitted either to reflect the alterations to the footprint and resultant changes to the floor and elevation plans.

7.2.10 I am of the opinion that these alterations were made during the redevelopment of the site on foot of planning reference 13/94 which was extended under planning reference 18/178. These changes are material in planning terms, in that the footprint of the dwelling permitted has been modified, the fenestration detailing on the western (front) elevation has changed at first floor level from individual window openings to a single walled glazing feature and the subsequent internal alterations that arise from the revised footprint and elevational alterations. I am satisfied that these alterations could not have been made subsequent to the implementation of this permission, as they would have involved significant structural works and could not have been carried out post construction. These alterations would require planning permission having regard to the *Horne v Freeney* [1982] IEHC 20 case law referenced in paragraph 7.2.5 above. I

consider that these alterations have not been highlighted nor clearly demarcated within the floor and elevation plans as submitted to the Planning Authority as part of the additional information request. Therefore, I consider these works which have not been highlighted within the applicants' planning documentation did not originally have the benefit of planning permission and are not included by the applicants within the scope of the works sought to be retained, as they are not clearly highlighted or demarcated within their plans. Therefore, I consider that to permit the retention of development sought in this appeal would consolidate and intensify the development which does not have the benefit of planning permission and would establish an undesirable precedent. and would be contrary to the proper planning and sustainable development of the area.

- 7.2.11 The applicants submitted a response to the third-party appeal submission. Within this response they set out that the provisions of the Sustainable Residential Development in Urban Area Guidelines, 2009 (applicable at the time the works were completed) provide a justification for the inclusion of the additional fenestration detailing, sought to be retained. However, these are Guidelines and provide guidance in terms of development standards but did not include any exemptions in terms of works, as the planning exemptions are clearly set out within the planning legislation only.
- 7.2.12 In conclusion, I consider that the applicants have not clearly highlighted or demarcated the full extent of the alterations made to the floor and elevation plans on foot of implementing their planning permission under planning reference 13/94. These additional alterations are material from a planning perspective and would require planning permission. They do not have the benefit of a planning permission and cannot avail of an exemption as set out within the planning legislation, having regard to case law as set out above. Therefore, I consider that to permit the retention of development sought in this appeal would consolidate and intensify the development which does not have the benefit of planning permission and would establish an undesirable precedent. and would be contrary to the proper planning and sustainable development of the area. In this instance, given the inadequate description included within the public notices, which was acknowledged by the PA and the materiality of the alterations involved and not highlighted by the applicants within their planning documentation. a refusal of planning permission will be recommended in this instance.

7.3 Other Issues

7.3.1 Right to Light

The Appellant raised concerns with regard to loss of light of habitable rooms to the front of the dwelling at both ground and 1st floor level on foot of the provision of the proposed 1st floor extension. As set out within section 7.2.7 of this report, I do not consider that the works sought to be retained in this instance, and specifically windows A and D on the southern elevation (that facing towards the appellants' property) would reduce the level of light available to the adjoining property to the south, given the orientation of the dwelling on an east to west axis, the location of the appellants' property to the south of the appeal site, so that it would accord with the requirements of BRE Site layout Planning for Daylight and Sunlight: A guide to good practice (2022).

7.3.2 Devaluation of Property

The appellants have raised issue of devaluation of their property that would arise as a result of the retention of the later alterations to the permitted development. The appellants have failed to submit any documentary evidence to substantiate this claim. In the absence of such documentary evidence, I am not satisfied that this claim can be substantiated and, therefore, I do not consider it appropriate to assess this issue any further within this report.

7.4 AA Screening

7.4.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c.760 metres to the north of the Galway Bay Complex SAC (site code: 000268) and the Inner Galway Bay SPA (site code: 004031). The subject site is located c.2.4 kilometres to the south-west of the Lough Corrib SAC (site code: 000297). The development description was set out within Section 2 of the report above. The proposals relate to alterations to an urban serviced dwelling previously permitted by the Planning Authority. The appellants did not reference the potential for adverse

impacts to arise upon Natura 2000 sites. The PA conducted an AA screening exercise, referenced in Section 5.4 of this report above.

7.4.2 The applicants did not submit an AA screening report as part of their planning documentation. The appeal site is located on a brownfield site on zoned and fully serviced lands. I consider that the appeal site is not hydrologically/ecologically connected to any of the European sites, located to the south and north-east of the appeal site. There were no drainage ditches evident within the confines of the appeal site nor along its boundaries. Therefore, I am satisfied that there is no apparent surface water hydrological link between the appeal site and any European site.

7.4.3 Having considered the relatively minor nature and scale of the works sought to be retained and the location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to these three or any other European Site. The reason for this conclusion is as follows:

- The modest scale of the development, which relates to retention of late 19th century buildings to a permitted residential dwelling unit, on zoned serviced lands and a brownfield site within a designated settlement,
- The separation distance from the nearest European site and the lack of hydrological or ecological connectivity to any Natura 2000 site.
- The AA screening exercise conducted by the Planning Authority which concluded that 'No appropriate assessment issue arises as the development would not be likely to have a significant effect individually or in combination with other plans or projects on these European sites.'

7.4.4 I conclude that on the basis of objective information, that the development would not have a significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and, therefore, Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

8.0 Recommendation

Having regard to the above, I recommend that planning permission for retention of the amendments to the dwelling, including the amended fenestration details be refused for the following reason:

9.0 Reason

- 1 On the basis of the information provided, including the public notices that accompany this planning application, it appears to the Board that the proposed development relates to a site where unauthorised development has occurred with this unauthorised development also forming part of the development for which planning permission is sought and a development which is not accurately presented in the documentation submitted with this application. Therefore, to permit the development sought under this application would in these circumstances facilitate the unauthorised development that has occurred as well as would consolidate and intensify the unauthorised development that has occurred on site. Accordingly, it is considered, that it would be inappropriate for the Board to consider the grant of a permission for the development sought under this application in such circumstances.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Fergal Ó Bric
Planning Inspectorate

14th day of May 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	321853-25		
Proposed Development Summary	Permission for retention of minor changes to elevations of the permitted dwelling including amended fenestration.		
Development Address	63 Threadneedle Road, Salthill, Galway city		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	x	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank		
No	Tick or leave blank	Alterations to a permitted dwelling does not fall within a class of development as per the P & D Regulations.	x
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank		
No	Tick/or leave blank		X

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	Proposals relate to the retention of minor changes to elevations of the permitted dwelling including amended fenestration.	X

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	X
Yes		

Inspector: _____ Date: _____