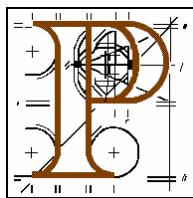


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2009

Galway City

Planning Register Reference Number: 08/483

An Bord Pleanála Reference Number: PL 61.233341

APPEAL by Catherine Connolly of 9 Grattan Terrace, Claddagh, Galway and by Residents of Claremont Park care of Franck Martinaud of 99 Claremont Park, Galway against the decision made on the 13th day of March, 2009 by Galway City Council to grant subject to conditions a permission to Electricity Supply Board care of John Carton of Sean Mulvey Road, Galway in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention for the erection of two 38kv lattice steel masts in Westside Park, one on Siobhain McKenna Road and one on Circular Road in the townland of Ragoon, 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.

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 planning history of the site and the policies of the development plan for the area relating to zoning and energy associated infrastructure, it is considered that, subject to compliance with the conditions set down below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity and would not, therefore, be contrary to the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be in accordance with the plans and particulars lodged with the application, as amended by the documentation received by the planning authority on the 8th day of October, 2008 and the 17th day of February, 2009, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000 in respect of the improvement of play facilities at Westside Park including any relocation of the playground and demarcation between the edge of the play area and the permitted mast structures. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid within three months from the date of this order or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the adopted Development Contribution Scheme and which will benefit the proposed development.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2009.