



An
Bord
Pleanála

Board Direction
BD-003941-19
ABP-304574-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/09//2019.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended.

The Board also decided that the planning authority be directed, as follows:

Amend condition 2 as follows:

2. Prior to the commencement of development, the developer shall pay to Galway County Council a contribution of €169,350.

Reason: So that the developer should contribute an equitable portion of the cost of the services which facilitate the development. The use or return of this contribution shall be carried out as provided for in section 48 of the Planning and Development Act 2000, as amended.

Reasons and Considerations

Having regard to the Schedule of Accommodation set out on the A3 page titled "Summary Site Statistics and Areas" submitted by the applicant as additional information to the planning authority on the 14th day of September, 2018, which clearly indicates that the café/bar/restaurant/function room (which would be classed as a commercial development as per the adopted financial contribution scheme), amounts to 1,013 square metres. Furthermore, the

proposed retail element amounts to 110 square metres (this would be classed as commercial development under the provisions of the financial contribution scheme). Therefore, the total gross floor area which can be classed as commercial development that would attract a levy of €41 per square metre would be 1,123 square metres and not 1,213 square metres as calculated in the planning authority's condition. The commercial element of the financial contribution condition should be amended accordingly and the amount to be levied for the commercial element associated with

Board Member:

Date: 02/09/2019

Terry Ó Niadh