



An  
Bord  
Pleanála

**Board Direction**  
**BD-006966-20**  
**ABP-307929-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/11/2020.

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:

Remove condition number 5

Reasons and Considerations, as per Inspector's recommendation as follows.

Having regard to

- a) the provisions of the Galway City Development Contribution Scheme 2008-2012, extended on the 11<sup>th</sup> of April 2014,
- b) the Development Contribution Guidelines for Planning Authorities 2013,
- c) the planning history associated with the subject site, and
- d) the information submitted in support of this appeal,

the Board is satisfied that the development the subject of this appeal has been levied under a previous planning decision by Galway City Council, PA ref 15/27 refers, where the Planning Authority applied a 50% reduction in the liability due to the temporary nature of the permission and the outside nature of the seating / dining area in accordance with the requirements of the Development Contribution Guidelines for Planning Authorities 2013, at the time. The Board considered, based

on the evidence submitted, that the terms of the Development Contribution Scheme have not been properly applied.

**Board Member:**

**Date:** 19/11/2020

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Michelle Fagan