



An  
Bord  
Pleanála

**Board Direction**  
**BD-011396-22**  
**ABP-313868-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/10/2022.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the location within the network of mediaeval streets of the city which is a primary destination for amenities and services for visitors, workers and residents, and to the zoning objective: CC *"To provide for city centre activities and particularly those which preserve the city centre as the dominant commercial area of the city"* according to the Galway City Development Plan, 2017-2023, it is considered that subject to compliance with the conditions below, the proposed development would contribute to the range of city centre activities and facilities, would not seriously injure the amenities of the area, would provide for a satisfactory standard of development and would be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior

to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

3. The developer shall control odour emissions from the premises in accordance with measures, including extract duct details, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health and to protect the amenities of the area.

4. No music or other amplified sound shall be broadcast externally. Noise emanating from the premises shall be such so as not to cause nuisance to occupiers of adjacent properties and users of the public road.

**Reason:** To protect the amenities of the area.

5. The hours of operation shall be between 0700 hours and 2200c hours Monday to Sunday inclusive, including public holidays.

**Reason:** In the interest of the amenities of property in the vicinity.

6. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

**Reason:** In the interest of visual amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Board Member**

  
Michelle Fagan

**Date:** 24/10/2022

