

An
Bord
Pleanála

Board Direction
BD-014254-23
ABP-314415-22

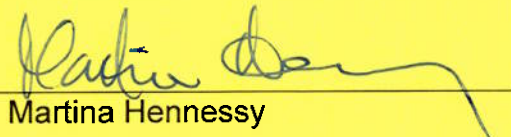
The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/10/2023.

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 to remove condition number 10.

Reasons and Considerations

Having regard to the exemptions provided under Part 4 of the Galway County Council Development Contribution Scheme 2016 (as revised on 1st August 2019), as the proposed development entails a change of use of part of a building, for which development contributions have previously been paid, and the proposed development would not result in a substantial increase in output or intensity of use or the creation of additional gross floorspace or functional area; as the proposed development consists of the conversion of the upper floor of a building into residential use in an area zoned town centre in the Athenry Local Area Plan 2012 (as extended); and as the proposed development does not result in significant additional demand for services (i.e. additional car parking), the proposed development is exempt from the provisions of the Development Contribution Scheme. The Board consider that the Planning Authority has therefore erred in its application of the scheme and condition number 10 should be removed accordingly.

Board Member:


Martina Hennessy

Date: 24/10/2023