

An
Coimisiún
Pleanála

Direction
CD-021457-25
ABP-321240-24

The submissions on this file and the Inspector's report were considered at a meeting held on 01/12/2025.

The Commission decided by majority (2:1) to make a split decision, to

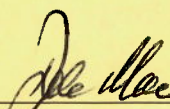
- (1) grant retention permission for the reconstruction of the building, and grant permission for the five bay bicycle stand and the provision of internal staff changing/welfare facilities

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

- (2) refuse retention permission for the wall mounted sign and refuse retention permission for the change of use from warehouse with ancillary retail use to bulky retail

for the reasons and considerations marked (2) under.

Planning Commissioner:


Declan Moore

Date: 04/12/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

- (1) Having regard to planning permission for the original warehouse on the subject site and the retention application for its reconstruction on the same footprint, and the minor nature of the proposed development for a bicycle stand and internal building changes to provide staff facilities, it is considered that the development proposed to be retained and the proposed development would be acceptable in terms of zoning, layout, and design, would not seriously injure the amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as otherwise may 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. A minimum of 10% of all car parking spaces shall be provided with functioning electric vehicle (EV) charging stations/points and ducting shall be provided for all remaining car parking spaces to facilitate the installation of electric vehicle charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points have not been submitted with the application, in accordance with the above requirements, such proposals shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, and the agreed provisions shall be carried out and completed prior to the operational phase of the development.

Reason: In the interest of sustainable transport.

3. 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.

- (2) It is considered that the proposed change of use from warehouse with ancillary retail use to bulky retail development, on I zoned lands is not a use that contributes to or is compatible with the I industrial land use zoning objective as specified under Section 11.2.5 Industrial I Land Use Zoning Objective of the Galway City Development Plan 2023-2029. The proposed development therefore would be contrary to the I industrial land use zoning objective and the policy of the City Development Plan to retain and protect these I industrial zoned lands to accommodate industrial uses and services for the economic needs of the city which can come under threat from higher value uses including retail. The proposed development would conflict with the policies of the City Development Plan and would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant retention permission for the change of use and the wall mounted sign, the Commission was not satisfied that the current retail use of the warehouse, in terms of goods being sold, for which a retention of change of use was proposed, was consistent with the description of a Retail Warehouse, the type of goods sold therein or the definition of bulky goods, contained within the Retail Planning Guidelines (2012).