

An  
Coimisiún  
Pleanála

**Direction**  
**CD-021924-26**  
**ACP-323777-25**

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The submissions on this file and the Inspector's report were considered at a meeting held on 11/02/2026.

The Commission decided to treat this case under section 139 of the Planning and Development Act, 2000. The Commission also decided, based on the Reasons and Considerations set out below / set out on the attached copy of the Inspector's report, that the planning authority be directed, as follows:

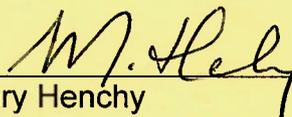
Remove condition number 8 and 16

Amend condition number \_\_\_\_\_ 17 as follows

Please include standard condition for Section 48 payment to Planning Authority including the stated sum of - €143,442 to the Planning Authority,

**Planning**

**Commissioner:**

  
\_\_\_\_\_  
Mary Henchy

**Date:** 13/02/2026

**DRAFT WORDING FOR ORDER**

**Reasons and Considerations**

Having regard to the nature of the conditions the subject of the appeal, the Commission is satisfied that Condition no. 8 relates to an uncosted unspecific project, which fails to meet the 'specific exceptional costs' test required for Special Development Contributions, and furthermore in the absence of such specific information, considers that such funding for local road improvement works is already provided for under the Galway County Council Development Contribution Scheme 2016 (revised with effect from August 1st 2019). In relation to Condition 16 the Commission considers that the condition is not specifically provided for under Section 34 (4) of the Planning and Development Act and, being an uncosted sum not shown to be specifically relevant to the development, would place an unreasonable burden of indefinite duration on the developer. In relation to Condition no. 17, the Commission considers that the contribution applied was not determined fully in accordance with the Galway Development Contribution Scheme. The Commission therefore directs the Council to remove Condition 8 and Condition 16 and amend Condition 17 to reflect the amount of **€143,442**. (As per Inspectors calculations)