

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Galway County

**Planning Register Reference Number: 15/1486**

An Bord Pleanála Reference Number: PL 07.246796

**APPEAL** by Noreen Murphy of 'Harbour View', Aillebrack, Ballyconneely, County Galway against the decision made on the 1<sup>st</sup> day of June, 2016 by Galway County Council to grant subject to conditions a permission to Connemara Smokehouse Limited care of Enda O'Malley of Bunowen, Ballyconnelly, County Galway in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** (1) Change of use of one residential apartment/unit, previously granted under planning register reference number 65367, to commercial use as an office/ancillary room, reception, toilets, staff room and storage space, to be used in conjunction with the adjacent existing smokehouse building on revised site boundaries, (2) minor internal alterations, (3) change of existing side elevation window to new entrance door and new canopy, and (4) minor external alterations as well as all ancillary site work, all at Aillebrack Townland, County Galway.

## DECISION

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the provisions of the Galway County Development Plan 2015-2021, to the nature and scale of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **CONDITIONS**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 9<sup>th</sup> day of May, 2016, 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 for the site, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services including:
  - (a) The existing domestic proprietary sewage treatment system, consisting of an existing septic tank and puraflo bio-filter module system, currently serving the existing premises shall be operated and maintained in good working order at all times in accordance with all specifications.
  - (b) A maintenance contract to guarantee the optimal performance of the existing domestic proprietary sewage treatment system shall be maintained at all times.

**Reason:** In the interest of environmental protection and public health.

3. The existing access road and parking/turning/passing bays located within the boundaries of the site shall be maintained free from external storage of materials or the permanent parking of vehicles, and shall be kept in a tidy and well maintained condition at all times. All costs of maintenance work shall be at the developer's expense.

**Reason:** In the interest of traffic safety.

4. The premises shall be used solely in association with the existing Connemara Smokehouse business located in the adjacent building within the enlarged site area. The hours of operation of the premises shall be restricted to normal business hours, that is, from 0800 to 1800 hours Mondays to Fridays only.

**Reason:** In the interest of the proper planning and sustainable development of the area.

5. 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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**