



Planning and Development Acts 2000 to 2018

Amendment of Board Order

Planning Authority: Galway County Council

Planning Register Reference Number: 17/1087

Development Concerned: (1) Demolition of the existing dwelling and associated structures, (2) construction of a two-storey Primary Care Centre, (3) construction of 49 number residential units comprising: four number house Type A1, six number house Type A2, 23 number house Type B1, four number house Type C1, and 12 number duplex house Type D1, (4) vehicular and pedestrian access from the N59, and (5) provision of shared communal and private open space, site landscaping, car parking, services and all associated site development works, all at Kylebroghlan, Moycullen, County Galway:

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 5th day of April, 2018:

AND WHEREAS it has come to the attention of the Board that due to a clerical error the reference in condition number 16 to “retail unit only” is incorrect,

AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the development, the subject of the decision,

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal,

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that condition number 16 of its order and the reason therefor shall be as follows:

16. 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.

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

Dated this day of 2018