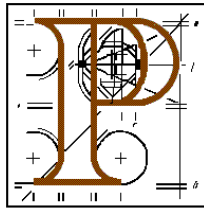


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Galway City Council

Planning Register Reference Number:17/250

An Bord Pleanála Reference Number: ABP-300233-17

Appeal by Pat Larkin care of Gerard Hanniffy of Suite 21, Orantown Centre, Oranmore County Galway in relation to the application by Galway City Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 2 and 3 of its decision made on the 24th day of October, 2017.

Proposed Development: (1) Retention of number 23 and 23A Fairhill as individual properties and (2) permission for the provision of a front pedestrian entrance from Fairhill Road to number 23, all at 23 and 23A Fairhill, The Claddagh, Galway.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of conditions numbers 2 and 3 and directs the said Council to AMEND conditions numbers 2 and 3 so that they shall be as follows for the reasons stated.

Reasons and Considerations

2. Within six months of the final grant of planning permission, a financial contribution of €4,319.50 (Four thousand, three hundred and nineteen euro and 50 cents) shall be paid by the developer to Galway City Council towards the cost of provision of public services in the area which facilitates the development.

Reason: In order to comply with the terms of Galway City Council's Development Contribution Scheme and in accordance with section 48 of the Planning and Development Act, 2000, as amended.

3. Within six months of the final grant of planning permission, a financial contribution of €1,250 (One thousand, two hundred and fifty euro) shall be paid to Galway City Council towards the provision of public transport facilities.

Reason: In order to comply with the terms of Galway City Council's Development Contribution Scheme and in accordance with section 48 of the Planning and Development Act, 2000, as amended.

Reasons and Considerations

It is considered that in accordance with the terms of the Development Contribution Scheme, a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority was warranted for the subject development. Having regard to the contents of the submission from the planning authority Director of Services (Planning Economic Development, Community and Culture Climate Change and Environment), dated 15th December 2017, it is considered that the amendment of conditions number 2 and 3 to reflect the 50% reduction would be in keeping with the terms of the Galway City Council Development Contribution Scheme 2008-2012 and appropriate in this instance.

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.

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

Dated this day of 2018