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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 18318**

**Appeal** by Loughrea Town Commercial Group care of Stephen Dowds Associates, Town Planning Consultants, 5 Mary Street, Galway against the decision made on the 9<sup>th</sup> day of May, 2018 by Galway County Council to grant subject to conditions a permission to Greenstream ULC care of Sean Dockry and Associates, 2<sup>nd</sup> Floor, Corbett House, Shoe Makers Lane, Edward Square, Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Completion of a new first floor level (1,128 square metres) over an existing department store unit (previously granted planning register reference number 08/2505) including associated access stairs works, openings within the northern elevation and roof alterations. Planning permission is also sought for the use of the new first floor level as offices to include the creation of a lightwell, provision of new windows to north, south and west elevations at first floor level, erection of associated signage, extension of the existing lift core along with minor alterations to include access, elevation changes and associated external works all at Unit 2. Gross floor space of proposed works (office) 1,128 square metres. Gross floor space

of work to be retained 1,128 square metres at Loughrea Shopping Centre, Cosmona, Loughrea.

## **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 current retail use on the site, the existing planning history, the zoning objective CR, Commercial/ Mixed use, and policies and objectives in the Loughrea Local Area Plan 2012-2018 (extended until 2022) and the Galway County Development Plan 2015-2021, and to the established pattern and character of existing development in the vicinity, it is considered that the proposed development would not adversely affect the vitality and viability of Loughrea Town centre, would not seriously injure the visual and residential amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted under, planning register reference number 08/2505, and any agreements entered into thereunder.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The final details and external finishes of the proposed materials of the proposed signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing the, any change to the display panel, including any increase in the number of posters to be displayed, the scrolling mechanism or the internal/external illumination, shall be the subject of a separate application for permission to the planning authority.

**Reason:** To enable the planning authority to assess the impacts of any such changes on the amenities of the area.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

6. 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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**Terry Ó Niadh**

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

**Dated this            day of            2018.**