



Planning and Development Acts 2000 to 2018

Planning Authority: Galway City Council

Planning Register Reference Number: 17/143

Appeal by Cleverson Limited care of McCarthy Keville O'Sullivan Limited of Block 1, G.F.S.C., Moneenageisha Road, 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 condition number 3 of its decision made on the 17th day of May, 2018.

Proposed Development: Construction of a three-storey mixed use development (circa 2,532 square metres) consisting of retail use on ground and partial first floors, gym use on partial first and second floors, and all associated signage, landscaping, site works and services on a site adjacent to the IMC Cinema, Galway Retail Park, Headford Road, Galway as amended by the revised newspaper notice received by the planning authority on the 20th day of April 2018.

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 condition number 3 and directs the said Council to REMOVE condition number 3 and the reason therefor.

Reasons and Considerations

The Board had regard to Section 11.10 of the Galway City Council Development Plan 2017-2023 which identifies the areas of the city where a transportation contribution will be levied in lieu of on-site parking spaces. These areas are identified as the City Centre area, the Inner City Residential area and the Salthill area. The proposed development is not located in any of these areas. Whereas the Galway City Council Development Contribution Scheme refers to the Galway City Development Plan 2005-2011, this plan has been superseded by the current development plan. As such, the Board considered that the terms of the Galway City Council Development Contribution Scheme have not been properly applied and that condition number 3 should accordingly be removed.

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.

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

Dated this day of 2018.