



An
Bord
Pleanála

Board Order
ABP-303001-18

Planning and Development Acts 2000 to 2018

Planning Authority: Galway City Council

Planning Register Reference Number: 18/283

Appeal by Caroline Melville care of Oliver Higgins Chartered Engineers of Unit 4B, Oranmore Business Park, Oranmore, County Galway against the decision made on the 24th day of October, 2018 by Galway City Council to refuse a permission for the proposed development.

Proposed Development: Retention of the amalgamation of units 1B, 2B and 3B at ground and first floor level, of a split level three-storey block. Change of use of the amalgamated units to office use (previous use was manufacturing, wholesale/retail as approved under planning register reference number 94/416), at Liosban Industrial Estate, Units 1B, 2B and 3B, Liosban Retail Centre, Tuam Road, 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 City Council Development Plan 2017-2023, in particular, compliance with the CI zoning objective, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and the proposed development would not seriously injure the amenities of the area or create a traffic hazard within the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out 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. The proposed office shall only be used for Specialist Offices as defined within the Galway City Council Development Plan 2017-2023 and shall not be used for any other use including office use as defined within Schedule 2 Part 4 Class 2 and Class 3 of the Planning and Development Regulations 2001, as amended.

Reason: In the interest of proper planning and sustainable development and to delimit the type of office use allowable within the development, having regard to the content of the appeal submission by the applicant.

3. The developer shall provide cycle parking within the site. Details of the number, layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and shall be provided before the development is made available for occupation.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

4. Prior to the opening of the development, a Travel Plan shall be submitted to and agreed in writing with the planning authority, in accordance with section 11.10.2 of the Galway City Council Development Plan 2017-2023. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling by staff employed in the development and to reduce and regulate the extent of staff parking.

Reason: In the interest of encouraging the use of sustainable modes of transport.

5. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, no advertisement or advertisement structure, shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

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.

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

Dated this day of 2019.

