



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 19/517

Appeal by Brendan Dowling of Cashla, Athenry, County Galway against the decision made on the 30th day of May, 2019 by Galway County Council to grant subject to conditions a permission to Coshla Quarries Limited care of McCarthy Keville O'Sullivan of Tuam Road, Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a concrete batching plant, which is an extension to an existing concrete batching plant permitted under planning register reference number 09/230 and includes for associated structures and hardstanding areas at Barrettspark, Athenry, County 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 nature and scale of the development subject to retention and the fact that it is ancillary to an established permitted use and does not alter the intensity or capacity of the permitted use, the development for which retention is sought would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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.

Reason: In the interest of clarity.

2. Permission for the development subject to retention shall expire on the same date as the 10-year permission granted under An Bord Pleanála appeal reference number PL 07.235821 (planning register reference number 09/1958), that is, on the 10th day of March, 2021.

Reason: In the interest of orderly development.

3. The development proposed for retention shall be operated in compliance with all of the conditions set out in the permission granted under An Bord Pleanála appeal reference number PL 07.235821 (planning register reference number 09/1958).

Reason: In the interest of orderly development.

4. 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 within three months of the date of this Order 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.

Terry Ó Niadh

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

Dated this day of 2019.