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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 19/909**

**Application for Leave to Appeal** against the decision of the planning authority by Moylough Orchard Management Company Limited care of Galway Property Management of Atlanta House, 36 Dominick Street, Galway having an interest in land adjoining the land in respect of which Galway County Council decided on the 7<sup>th</sup> day of August, 2019 to grant subject to conditions a permission to Buttons 'n' Bows Childcare Centre care of APS Consulting and Engineering Limited of Lackagh, Turloughmore, County Galway.

**Proposed Development:** Change of use of existing garden to outdoor play/open space ancillary to existing crèche (circa 920 square metres), construction of an uncontrolled level grade pedestrian crossing, footpath and pedestrian gateway to provide access from the existing crèche to proposed outdoor play/open space and all associated site works at The Orchard, Moylough More, Ballinasloe, County Galway.

## **Decision**

**REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**