



An  
Bord  
Pleanála

Board Order  
ABP-309729-21

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 20/348.**

**Appeal** by McHugh Property Holdings Limited care of Seán Dockry and Associates of 24 Middle Street, Galway against the decision made on the 23<sup>rd</sup> day of February 2021 by Galway City Council to refuse permission for the proposed development.

**Proposed Development:** Retention of an adapted mobile vehicle for the sale of hot drinks and snacks and all associated site works at the site previously granted permission for a café/restaurant (planning register reference number 19/11, An Bord Pleanála appeal reference number ABP-304163-19), at Blackrock, Pollnarooma West Townland, Salthill, 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 location, nature and scale of the development proposed for retention for a temporary period, to the 'RA' (Natural Heritage, Recreation and Amenity) zoning provision of the Galway City Development Plan 2017-2023 with an objective 'to provide for and protect recreational uses, open space, amenity uses and natural heritage' and to supporting policy and objectives outlined in the Plan, the Board considered that, subject to compliance with the conditions set out below, the development proposed for retention would be compatible with the 'RA' zoning objective, would be acceptable in terms of visual amenity, would not interfere with the protected view or the character of Salthill, would not prevent the delivery of the wider coastal greenway (GW), and would enhance the tourist resource for the Salthill promenade and environs. The development proposed for retention 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. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. (a) This retention permission shall apply for a period of two years from the date of this Order. The mobile structure for the sale of hot drinks and snacks and any related ancillary structures shall then be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.  
  
(b) The site shall be reinstated on removal of the mobile structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this permission.

**Reason:** In the interest of clarity and having regard to the temporary duration sought.

3. (a) The business shall be limited to hot drinks and snacks and shall not function for the sale of hot food.
- (b) The hours of opening of the structure shall be between 0800 hours and 2100 hours from Monday to Sunday.

**Reason:** In the interest of the amenities of property in the vicinity.

4. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.



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**Michelle Fagan**

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

Dated this 28<sup>th</sup> day of May 2021.