



An
Bord
Pleanála

Board Order ABP-314329-22

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/662

Appeal by Maura Gillooly and Liam Carty and Others care of 43 Cois Furain, Loughrea, Galway against the decision made on the 14th day of July, 2022 by Galway County Council to grant subject to conditions a permission to BIGbin Waste Tech Limited of Waterford Industrial Park, Block B0, Confederation House, Cork Road, Waterford in accordance with plans and particulars lodged with the said Council.

Proposed Development: Placement of a pay-to-use portable waste compactor for the acceptance of residual and food waste and a pay-to-use portable compactor for mixed dry recyclables, all at Supervalu, Loughrea Shopping Centre, Athenry Road, Loughrea, 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.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity, would be compatible with the layout and operation of the existing car park, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The two number pay-to-use units hereby permitted shall be located as indicated on the Site Layout Map received by the planning authority on the 24th day of May, 2022.

Reason: In the interest of clarity.

3. Within six months of the cessation of the use of the pay-to-use units hereby permitted, the pay-to-use units shall be removed from the site.

Reason: To protect the amenities of the area.

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4. Prior to commencement of development, the developer shall agree hours of operation with the planning authority.

Reason: In order to safeguard the residential amenities in the vicinity.

5. 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.



Peter Mullan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board**

Dated this *6th* day of *November*, 2023.