

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: 22/192

Appeal by Clearwater Ventures Limited care of MKO of Tuam Road, Galway against the decision made on the 2nd day of September, 2022 by Galway City Council to refuse permission for the proposed development.

Proposed Development: Permission for development which will consist of the retention of - The change of use of a part of the former driving range to a leisure and wellness facility, including yoga and gym facilities. - Enclosure of bays 1 and 2 of the existing building, including the installation of windows and doors. - External alterations to the front and side elevations of the existing building, including wheelchair ramp access and window/door alterations. - Upgrade of driving range building and facilities and ancillary areas of the site. - The erection of an external sauna and installation of external decking. - The erection of signage on rear elevation of the building. The proposed development will also consist of the following: - The change of use of the former driving range site to a leisure and wellness facility, including yoga and gym facilities. - Upgrade of driving range building and facilities and ancillary areas of the site, including: - Enclosure of remaining bays including the installation of windows and doors to the driving range bays. - The

development of a new café/retail area within the existing building. - All ancillary and associated site works at the Former Salthill Driving Range, 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.

Reasons and Considerations

Having regard to the previous use of the site as a recreational facility and the RA Zoning of the site which seeks to provide for and protect recreational uses, open space, amenity uses, natural heritage and biodiversity, and also to the nature and scale of the proposed and existing development to be retained, the Board considered that, subject to compliance with the conditions set out below, the proposed and existing development to be retained would not seriously injure the amenities of surrounding properties or detract from the character or visual amenity of the area or of natural heritage and biodiversity, would be consistent with the 'RA' Development Plan zoning objective, and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Furthermore, the Board had regard to Policy 10.3 of the Galway City Development Plan 2023-2029 which seeks to enhance the role of Salthill as an urban village, a recreation and coastal amenity area for the city and service centre for the surrounding residential neighbourhoods. The Board considered the proposed and existing development to be retained would serve to enhance the role of Salthill as a recreation amenity area for the city, given the particular circumstances arising on the subject site. In addition, the Board had regard to Policies 4.4 and 5.5 which address sustainable mobility and community spaces, with an indicative greenway route identified on the road serving the site of this application. The Board considered the lack of parking provision and promotion of active travel to/from the proposed and existing development to be retained would support these policy objectives and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation, the Board had regard to the former use of the site as a recreational facility, and considered the proposed and existing development to be retained would continue the nature of the existing and permitted development, in accordance with the zoning objectives for the area. The Board also noted the boundary of the applicant's land ownership which includes the overall green area associated with the former driving range. The Board considered that given the former functional relationship between the application site and its curtilage, comprising the green area of the former driving range, that the proposed and existing development to be retained would also have a functional relationship and in this regard, the Board did not agree with the Inspector that the proposal would materially contravene the zoning objective given the particular circumstances arising on the subject site and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be retained, carried out and completed with the plans and particulars lodged with the application and appeal documentation, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 22 number bicycle parking spaces shall be provided within the site, as set out in revised layout drawing number PL.104 received by An Bord Pleanála on the 29th day of September 2022.

Reason: In the interest of sustainable transport.

3. Details of the materials, colours and textures of all the external finishes to the proposed structure shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Details of proposed external signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The hours of operation of the facility shall not extend beyond 0600 to 2200 hours Monday to Sunday inclusive.

Reason: In the interest of the proper planning and sustainable development of the area.

6. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

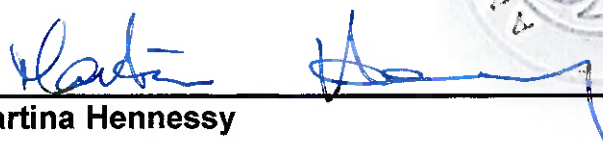
7. The Applicant shall enter into water and waste-water connection agreement(s) with Uisce Éireann, if required. The Applicant shall be required to adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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.





Martina Hennessy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this *24th* day of *November* 2023