

GALWAY CORPORATION

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963 & 1976.
NOTIFICATION OF DECISION UNDER SECTION 26 OF ~~THE~~ 1963 ACT.

To: Ballybans Estates Ltd.,
Hibernian House,
Byre Square,
Galway.

Ref. Number in
Planning Register

243/77

Date of Receipt
of Application

7/6/1977

In pursuance of the powers conferred upon them by the abovementioned Acts Galway Corporation,
being the Planning Authority for the Borough of Galway have by Order dated 16/8/77
decided to grant PERMISSION to the above-
named, for development of land, namely Alterations to approved development
at Ballybans-bay, Galway,
in accordance with documents lodged 7/6/1977

subject to the conditions set out in the Schedule hereto.

Signed on behalf of Galway Corporation:

Town Clerk.

Date: 16th AUGUST, 1977

SCHEDULE

CONDITIONS	REASONS FOR CONDITIONS
1. The requirements of the conditions incorporated in the permission granted (PL.REG. REF.NO. 24912) in respect of that part of the development on lands in the County Area, which have general application, shall have equal application in respect of that part of the development on lands in the Borough Area.	1. To comply with the proper planning and development of the area.
2. No buildings shall be erected on the site until detailed plans of the proposed buildings and the use of the said buildings are approved by the Planning Authority.	2. The building plan submitted is not suitable for all of the sites and the applicant at this stage is not able to indicate the precise use of any site other than that the use will be commercial or industrial.

GALWAY COUNTY COUNCIL

LOCAL GOVERNMENT (Planning & Development) ACTS 1963 - 1976

DECISION under SECTION 26 of the ACT of 1963

WE CERTIFY THE ENCLOSED
TO BE A TRUE COPY OF THE ORIGINAL

DATED THE 13TH DAY OF SEP 1977

W. B. GLYNN & CO SOLRS.

HYNIES BUILDING

GALWAY County Council has by order

Ref. No. Planning R

24012

Date of Rec. of Applicant

2/8/77

I hereby give you NOTICE that

Permission

is granted in the above named, for development of land, in accordance with documents lodged.

namely: Alteration of approved proposals for industrial and commercial development in the townland of Ballykane Beg

and subject to the conditions set out in the Schedule hereto. This permission is granted on the basis that the applicant will comply with the conditions set out in the Schedule hereto. This permission is granted on the basis that the applicant will comply with the conditions set out in the Schedule hereto. This permission is granted on the basis that the applicant will comply with the conditions set out in the Schedule hereto.

12 SEP 1977

County Secretary.

SCHEDULE

1. The area of land intervening between the existing road boundary fence and the line of the proposed new road boundary within the property boundaries indicated bounded in red on the site map submitted on 8th June, 1977 shall be designated to the Galway County Council for the purposes of the improvement of the County Road abutting on the site proposed to be developed, said designation shall be in lieu of a development contribution.
2. The lands are required for the improvement of the adjacent roadway which improvement will facilitate the future, volume and movement of the traffic generated by the proposed development.
3. A new plastered or dashed front boundary wall of approved solid finish shall be erected at an approximate distance of 15 feet from the eastern road boundary fence of the adjacent roadway and the actual line and level of the new wall shall be set out on the site by the Planning Authority. The new vehicular entrances to each developed site, shall be recessed, and constructed in accordance with detailed proposals which shall be submitted to the Planning Authority for approval. A sufficient length, but no greater than of the existing wall opposite each entranceway shall be removed.

It should be noted that an outline permission is a permission subject to the subsequent approval of the Planning Authority until such approval has been obtained in detailed plans for the development proposed the development is not authorized.

HOUSING GRANTS: If you intend to apply for a grant(s) from the Department of Local Government in respect of the which the attached permission relates you should, in your own interests, make application for the relevant grants before starts.

Application forms can be obtained from the Department of Local Government, Housing Grants Section, O'Connell Bridge House, Dublin 2.

The conditions of the permission are set out at part 1 of the site map which has been submitted to the Planning Authority.

No detailed building plans have been submitted to the Planning Authority.

Contd.

3.

so as to accommodate the movement of vehicles emerging or entering each site. The accessway from each new entranceway to the existing county road shall be constructed by the developer in accordance with the requirements of the Planning Authority.

REASON: The new front boundary wall is a necessary integral part of the proposed development and the further required provisions for the creation of accessways and entranceways are necessary provisions in the interests of safety of traffic movement.

3. No development shall commence on the site until the developer has contributed a sum of \$1,000 towards the provision of public lighting along the adjacent County Road.

REASON: The provision of such facility will particularly facilitate the proposed development.

4. Foul and surface water drainage systems connecting to the public systems to serve the proposed development shall be provided by the developer in accordance with detailed proposals which shall be submitted to the Planning Authority for approval and no development shall commence on the site until such approval has been granted by the Planning Authority. The watermain shall be of a diameter not less than 150 m.m. and shall be connected to the existing 150 m.m. public main east of the existing road junction north of the site proposed to be developed. The foul and surface water sewers shall be of a minimum diameter of not less than 115 m.m. and 100 m.m. respectively.

REASON: The provision of such services are necessary to serve the proposed development.

5. The front elevational colour finishes of the proposed buildings shall be in accordance with an overall colour scheme which shall be submitted to the Planning Authority for approval. The colour finishes of the remaining external walls of the buildings and other wallings shall be finished in muted colours. The side yard to each building shall be screened by a gated entranceway.

REASON: In the interests of visual appearance of the overall development.

6. The forecourts of the buildings shall not be used for the storage or stacking of goods or materials or used for the repair or service of plant or vehicles.

REASON: Such uses would detract from the overall visual appearance of the development.

GALWAY CORPORATION

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963 TO 1983 NOTIFICATION OF GRANT UNDER SECTION 26 OF THE 1963 ACT.

To: **Grealish Brothers Ltd.**
C/o. John M. Gallagher,
1, Oldfield,
Kingston,
Galway.

Ref. Number in
Planning Register
118785.

Date of Receipt
of Application
21/3/1985.

In pursuance of the powers conferred upon them by the abovementioned Acts, Galway Corporation, being the Planning Authority for the Borough of Galway have by Order dated

10/6/85 granted **PERMISSION** to the above-named, for development of land, namely **Construction of 10 Industrial Units for Warehousing, Storage and light Industrial, Commercial and Retail usage at Ballybanebeg, Galway.**

in accordance with documents lodged **21/3/1985.**

subject to the conditions set out in the Schedule hereto.

Signed on behalf of Galway Corporation:

12/6/85
Town Clerk.

Date:

SCHEDULE

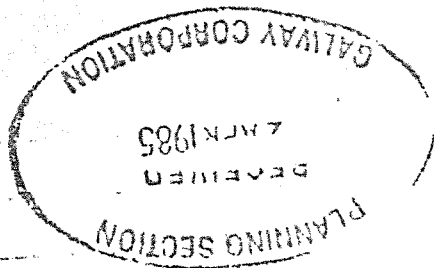
CONDITIONS	REASONS FOR CONDITIONS
1. The requirements of condition 1 incorporated in the permission Pl.Reg.Ref. No. 243/77, granted for the development of the lands of which the site forms a part, shall be complied with.	1. To comply with the proper planning and development of the area.
2. The structure shall not be occupied until particulars of the nature and extent of the proposed uses are submitted to and agreed by the Planning Authority.	2. To ensure compliance with the proper planning and development of the area.
3. No work shall be commenced on the development until detailed proposals have been submitted to and approved by Galway County Council in respect of that part of the development of lands in the County Area.	3. In the interests of the proper planning and development of the area and to ensure that the development complied with the requirements of the Local Authority for the area.
4. The fire protection of the proposed structure, its resistance to the spread of flame and its means of escape shall comply with the requirements of the Fire Authority. (Copy attached)	4. To ensure that the safety of persons occupying or employed in the structure would not be endangered.

It should be noted that a grant of Outline Permission is subject to approval being obtained in accordance with Part IV Section 19 of the Local Government (Planning & Development) Regulations 1977 prior to the commencement of the development or any part of the development.

A grant of Outline Permission does not authorise the carrying out of development.

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1982

Pursuant to Section 2 of the above Act, this permission will expire five years from the date on which it is granted above.



Planning Officer
Gateway Corporation.
20/3/85.

Re. 1 to No. Industrial Units. Ballybaner.
Ref. 113/85.

Dear Sir,

With reference to above application
I confirm there is no objection subject
to following

1/ Provide fire hydrants as required
by Part 2 of proposed Building Regs.
2/ Install Emergency exit signs
incorporating Emergency lighting to
B.S. 5266.

3/ Electrical installation to comply
with I.E.E. (15th Ed.) regulations.

4/ Install suitable fire extinguishers
in each premises prior to occupation.

5/ Wall / Ceiling linings to have
Surface Spread of flame classification as
required by para N. of proposed Bld.
Regs.

6/ Operation with to be fire/smoke
stopped at junction with Roof.

7/ Individual users to submit
with this Dept. (where relevant) to
arrange for issue of Certificate of
means of escape as required under
Reg. 12 in Factories Act, 1980 prior to
occupation.

Yours Faithfully,
[Signature] R. C. L.

GALWAY COUNTY COUNCIL
LOCAL GOVERNMENT (Planning & Development) ACTS 1963 - 1982
DECISION under SECTION 26 of the ACT of 1963 (as amended)

Greeshish Bros Ltd.,
c/o John M. Callaghan,
1 Oldfield,
Kingston,
Galway.

Ref. Number in
Planning Register

49847

Date of Receipt
of application

21/3/05

I hereby give you NOTICE that the Galway County Council has by order

granted

Permission

to the above named, for development of land, in accordance with documents lodged,

namely:

construction of 10 industrial units in the townland of Ballybeen Beg.

and subject to the conditions set out in the Schedule hereto.

Signed this 17 JUN 1985

on behalf of Galway County Council.

C. B. ...
pp. County Secretary

SCHEDULE

1. Before development shall commence on the site proposed to be developed, the developer shall pay a contribution of £1,950 to the Planning Authority.

REASON: So that the developer shall pay an equitable portion of the cost of the services which facilitate the development.

2. A new plastered or dashed front boundary wall of approved colour finish shall be erected at an approximate distance of 36 ft. from the eastern road boundary fence to the adjacent roadway and the actual line and level of the new wall shall be set out on the site by the Planning Authority. The new vehicular entranceways to each on sloped site shall be recessed and constructed in accordance with detailed proposals which shall be submitted to the Planning Authority for Approval. A sufficient length but no greater length of the existing wall opposite each entranceway shall be removed so as to accommodate the movement of vehicles emerging or entering each site. The accessway from each new entranceway to the existing county road shall be constructed by the developer in accordance with the requirements of the Planning Authority.

REASON: The new front boundary wall is a necessary integral part of the proposed development and the further required provisions for the creation of accessways and entranceways are necessary provisions in the interests of safety of traffic movement.

Conditions 3, 4, 5 and 6 over/

It should be noted that an outline permission is a permission subject to the subsequent approval of the Planning Authority and that no approval has been obtained to detailed plans for the development proposed the development is not authorised.

HOUSING GRANTS If you intend to apply for a grant(s) from the Department of the Environment in respect of the works to which the permission relates you should, in your own interests, make application for the relevant grants before the work starts.

Application forms can be obtained from the Department of the Environment, Housing Grants Section, O'Connell Bridge House, Dublin 2.

3. Foul and surface water drainage systems connecting to the public systems to serve the proposed development shall be provided by the developer in accordance with detailed proposals which shall be submitted to the Planning Authority for approval and no development shall commence on the site until such approval has been granted by the Planning Authority. The underground shall be of a diameter not less than 150 m.m. and shall be connected to the existing 250 m.m. public main east of the existing road junction north of the site proposed to be developed. The foul and surface water sewers shall be of a minimum diameter of not less than 225 m.m. and 300 m.m. respectively.

REASON: The provision of such services are necessary to serve the proposed development.

4. The front elevational colour finishes of the proposed buildings shall be in accordance with an overall colour scheme which shall be submitted to the Planning Authority for approval. The colour finishes of the remaining external walls of the buildings and other wallings shall be finished in miter colours. The side yard to each building shall be screened by a gated entranceway.

REASON: In the interests of visual appearances of the overall development.

5. The forecourts of the buildings shall not be used for the storage or stacking of goods or materials or used for the repair or service of plant or vehicles.

REASON: Such uses would detract from the overall visual appearance of the development.

6. Prior to the occupation for use of each unit the developer shall submit details of the proposed enterprise, giving employees and numbers employed for the written consent of the Planning Authority.

REASON: To ensure the use is compatible with adjoining uses.

HN M. GALLAGHER, B.E., M.B.A.

1, Oldfield,
Kingston,
Galway.

Telephone : 091-23065

The Secretary,
Galway Co. Council,
Planning & Development Section,
Prospect Hill,
Galway.

Re: Pl. Ref. No. 49847 - Grealish Bros. Ltd.
Application for Planning Permission for the
construction of 10 Industrial Units in the Townland of
Ballybaan Beg.

Dear Sir,

Further to your decision to grant permission for the above development I would like to question Condition No. 1 of the decision. Part of the site is located in the County Council area and part in the Corporation Area. The area of the portion in Galway County is 918m² while the total area of the site is 2314m².

I understand that the basis of the Galway Co. Council levy is a charge of £8300 per hectare of land where it is serviced by both water and foul and surface water sewage.

On this basis the charge to be levied by Galway Co. Council should have been £761.94 not the £1,950 mentioned in Condition No. 1 (The figure of £1950 was arrived at by charging for the whole area of the site, including the area within the Corporation boundary at a rate of £8300/hectare).

Two further factors call into question the appropriateness of even this smaller charge.

(i) The only services provided to the site by Galway Co. Council are water and road. All foul and surface water sewage is discharged into the sewers in the Corporation area provided by the developers. A lesser rate of charge is normally applied by Galway Co. Council where foul and surface water sewage services are not provided. It is my opinion that if any charge is appropriate it is the lesser rate of charge on the area only within the county boundary.

(ii) Planning permission for industrial development has previously been granted on this site to Ballybane Estates Ltd. and all development charges specified in the permission have been paid. No new services have been provided by Galway Co. Council in that area since this permission was granted in Sept. 1977 a period in excess of 7 years. Accordingly I find it difficult to understand the basis on which a new and additional charge for the development of these land can be made.

GALWAY DEVELOPMENT

In addition to my question in relation to condition 1 I would also be grateful if you could confirm that Conditions No's 2 and 3 of the notice of intention to grant permission (49847) refer to the estate of which this site forms part and do not refer to this particular application. In particular I would be grateful if you would confirm that the 150mm foul and surface water sewers shown on the drawings submitted with the application are adequate and acceptable to Galway Co. Council.

The developer Messrs. Grealish Bros. Ltd. is anxious to have this matter resolved as quickly as possible so as to retain his option of appealing the decision. Accordingly I would be grateful for an early response to this letter.

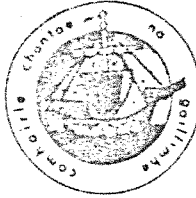
Yours sincerely,

John M. Gallagher
p.p. Grealish Bros. Ltd.

COMHAIRLE CHONTAE NA GAILLIMHE
GALWAY COUNTY COUNCIL

Office Box No. 27,
City Buildings,
Spect Hill,
Galway.

OTHAG DB/MOL PR. 49847
Ref
OTHAG
our Ref



BOSCA POIST UIMHIR 27
ÁRAS AN CHONTAE
CNOC NA RADHARC
GAILLIMH

Telephone
(091) 63151
Ext

11th July, 1985

Messers Grealish Brothers Ltd.,
c/o John M. Gallagher,
1 Oldfield,
Kingston,
Galway.

Dear Sirs,

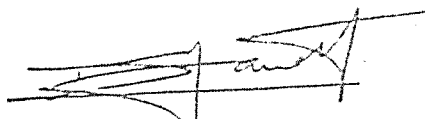
Re: Planning Register Number 49847
Permission for industrial units at Ballybaan Beg

I refer to your letter received on the 28th May, 1985 regarding the conditions attached to the above planning permission.

I wish to confirm that the Council accepts your point in relation to the area of lands situated within the administrative area, and having regard to this will accept a sum of £761.94 as discharge of your liability for development contribution under condition number 4 of the Planning Permission.

I wish to confirm also that conditions 2 and 3 of the planning permission refer to the estate which the site forms part, and I confirm also that the drainage proposals submitted in respect of this particular site are regarded as satisfactory.

Yours faithfully,


COUNTY SECRETARY

