

An
Bord
Pleanála

Board Direction
ABP-313491-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/09/2023.

The Board generally agreed with the Inspector's recommendation and decided the Order as follows:

WHEREAS a question has arisen as to whether the temporary closure of 6 roads (Raven Terrace, Dominick Street Upper, Small Crane, William Street West, Foster Street and Woodquay) within Galway City, for the period between 9th April 2022-31st October 2022 and for the purposes of allowing outdoor dining, festivals and events, is or is not development and is or is not exempted development.

AND WHEREAS Angela Casey of 2 Munster Avenue, Galway, requested a declaration on this question from Galway City Council and the Council issued a declaration on the 7th day of April, 2022 stating that the matter was not development and is a facility provided for under Section 75 of the Roads Act 1993 providing the required procedure are carried out:

AND WHEREAS the applicant referred this declaration for review to An Bord Pleanála on the 3rd day of May, 2022:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

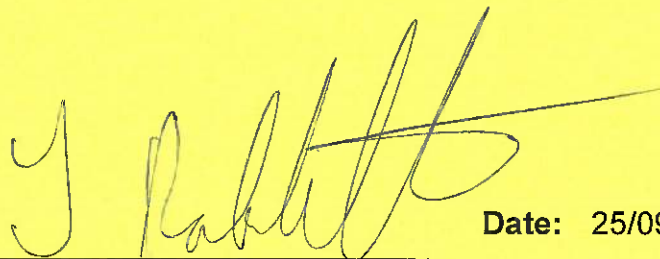
- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(a) of the Planning and Development Act, 2000, as amended, and
- (d) Section 75 of the Roads Act 1993.

AND WHEREAS An Bord Pleanála has concluded that:

The temporary closure of 6 roads (Raven Terrace, Dominick Street Upper, Small Crane, William Street West, Foster Street and Woodquay) within Galway City, for the period between 9th April 2022-31st October 2022 and for the purposes of allowing outdoor dining, festivals and events is not development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the temporary closure of 6 roads (Raven Terrace, Dominick Street Upper, Small Crane, William Street West, Foster Street and Woodquay) within Galway City, for the period between 9th April 2022-31st October 2022 and for the purposes of allowing outdoor dining, festivals and events is not development.

Board Member:



Date: 25/09/2023

Tom Rabbette