

An
Coimisiún
Pleanála

Direction
ABP-321056-24

The submissions on this file and the Inspector's report were considered at a meeting held on 10/04/2026.

The Commission decided, as set out in the following Order, that

Commission Order as follows:-

WHEREAS a question has arisen as to whether a change of use from ground floor public house with overhead residential to 3 bed residential unit at Georges Street, Gort, Co. Galway, and associated internal works is or is not development and is or is not exempted development:

AND WHEREAS Caroline Quinn requested a declaration on this question from Galway County Council and the Council issued a declaration on the 24th day of September 2024 stating that the matter was development and was not exempted development:

AND WHEREAS Caroline Quinn referred this declaration for review to An Coimisiún Pleanála on the 14th day of October 2024:

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

- (a) Section 2(1), 3(1), 3(3), 4(1)(h), and 4(2) of the Planning and Development Act, 2000, as amended,

- (b) article 6(1), article 9(1) and article 10(6) of the Planning and Development Regulations, 2001, as amended,
- (c) Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) The documentation on the file, including the submission on behalf of the referrer Caroline Quinn,
- (e) the planning history of the site,
- (f) the pattern of development in the area:
- (g) the report and recommendation of the Inspector:

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) The proposed change of use from public house at ground floor and residential use at first floor level to a single residential use at Georges Street, Gort, Co. Galway, is a material change in the use being development; and
- (b) The proposed works to the Public House and the first-floor residential use to facilitate the proposed change of use is development; and
- (c) The first-floor residential use forms part of an established unit on Georges Street, and the subdivision of that residential unit to provide a second residential unit, with the ground floor public house, is a material change of use; and
- (d) The subdivision of a residential unit to provide two residential units is not exempted development having regard to Section 3(3) of the Planning and Development Act, 2000 (as amended), and
- (e) The first-floor residential use forms part of an established unit on Georges Street which is a Protected Structure and in the absence of evidence of a s.57 declaration would not come within the scope of exempted development under Article 10(6)(d)(viii) and
- (f) The proposed development would not come within the scope of exempted development under Article 10(6)(c),

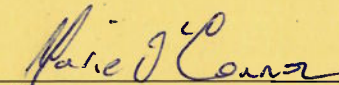
In any event, the restrictions on exemptions provided for in Articles 10(d)(vi) and 10(6)(d)(xi) of the Planning and Development Regulations 2001, (as amended), applies as the proposed residential unit would not provide storage spaces in compliance with the minimum storage requirements of the "Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities" issued under section 28 of the Act.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the change of use from ground floor public house with overhead residential to 3 bed residential unit at Georges Street, Gort, Co. Galway, is development and is not exempted development.

Planning

Commissioner:

Date: 10/04/2026



Marie O'Connor