



Board Direction

Ref: 61.RL.3454

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 24th, 2016.

The Board decided that:

The removal of glazing along with glazing bars from two ground floor window openings in the principal elevation of the building at 9 – 11 Prospect Hill, Eyre Square, Galway, is development and is not exempted development

The Board, generally in accordance with the Inspector's report and recommendation, approved of the terms of the draft order, as set out below.

AND WHEREAS a Question has arisen as to whether the removal of glazing at ground floor level as shown on accompanying drawings is development requiring planning permission at 9 – 11 Prospect Hill, Eyre Square, Galway,

AND WHEREAS a Declaration (Ref. No. P/DC/3/20/15) was issued by the Planning Authority Galway City Council on the 16th day of December, 2016,

AND WHEREAS the said Declaration was referred to An Bord Pleanála by Manahan Planners on the January 21st, 2016 under Section 5(3) of the Planning and Development Act 2000 as amended,

AND WHEREAS An Bord Pleanála decided to reformulate the question as follows:

'Whether the removal of glazing along with glazing bars from two ground floor window openings in the principal elevation of the building at 9 – 11 Prospect Hill, Eyre Square, Galway, is or is not development or is or is not exempted development'.

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

- (a) Sections 2, 3, 4, 5 and 82 of the Planning and Development Act, 2000 – 2015,
- (b) The documentation on file including the referrer's submission and the planning authority's response dated February 23rd, 2016,
- (c) The report of the inspector.

AND WHEREAS An Bord Pleanala has concluded that:

- The removal of the removal of glazing along with glazing bars from two ground floor window openings in the principal elevation of the building at 9 – 11 Prospect Hill are alterations to the premises that come within the scope of works under S.2(1) of the Planning and Development Act;
- These works comprise development as defined under S.3 of the Planning and Development Act;
- The removal of glazing along with glazing bars from two ground floor window openings in the principal elevation comprise alterations which materially affect the external appearance of the structure so as to render such appearance inconsistent with the character of the structure and neighbouring structures and the works do not, therefore, come within the scope of S.4(1)(h) of the Act;
- The works would materially affect the character of the Eyre Square Architectural Conservation Area

NOW THEREFORE An Bord Pleanala, in exercise of the powers conferred on it by Section 5(3) of the Planning and Development Act, 2000 – 2015, hereby decides that the removal of glazing along with glazing bars from two ground floor window openings in the principal elevation of the building at 9 – 11 Prospect Hill, Eyre Square, Galway, is development and is not exempted development.

Board Member: _____
Nicholas Mulcahy

Date: June 15th, 2016