



An  
Bord  
Pleanála

## Board Order PL 61.248016

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### Planning and Development Acts 2000 to 2016

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 16/180**

**Appeal** by Rory Collins care of AOS Planning of 2<sup>nd</sup> Floor, The Courtyard, 25 Great Strand Street, Dublin against the decision made on the 20<sup>th</sup> day of January, 2017 by Galway City Council to grant subject to conditions a permission to D.M. Properties care of Simon J. Kelly and Partners of Corrib Castle, Waterside, Galway.

**Proposed Development** Retention permission for the following: (1) Additional (38.3 square metres) floor area to rear of Electric Nightclub at ground floor level, the extra floor area resulted from filling in part of a void at the rear of the property. (2) Retention of two openings between Number 42 Upper Abbeygate Street and Electric Nightclub at ground floor level. (3) Additional (89 square metres) infill floor area at the first floor level of Electric Nightclub composing of a kitchen, rooftop lounge and store. (4) Retention of the use of the rear of Number 40 Upper Abbeygate Street as toilets ancillary to Electric Nightclub at first floor level (28.9 square metres). (5) Retention of two openings between Number 40 Upper Abbeygate Street and Electric Nightclub at first floor level (the two openings at first floor level, in the rear wall of Number 40 Upper Abbeygate Street were formerly windows which were replaced by doors) and one opening between Number 40 and Number 42 Upper Abbeygate

Street at first floor level. (6) Retention of covered access and fire escape route (22.4 square metres) to the south-east side of Number 34 Upper Abbeygate Street at first floor level. (7) Retention of outdoor bar area/restaurant/smoking area (202 square metres) with partly retractable canopy/roofs together with perimeter audio speakers at first floor level. (This area was substantially permitted as a function room under planning reference number 149/95 including ancillary toilets), all at Numbers 34, 36, 38, 40 and 42 Upper Abbeygate Street, Galway. Numbers 36, 38, 40 and 42 Upper Abbeygate Street are protected structures (reference numbers 221, 222, 223 and 224).

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

