



An
Bord
Pleanála

Board Order
ABP-314335-22

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 22/60571

Appeal by Newmar Developments care of Grealish Glynn and Associates of 1 The Punchbowl, Ennis Road, Gort, County Galway against the decision made on the 27th day of July, 2022 by Galway County Council to refuse permission for the proposed development.

Proposed Development: Retention of elevation alterations to apartment and crèche block previously granted under 18/741 at Gort na Rí, Ballyhugh, Gort, County Galway.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the relatively minor nature and scale of the alterations to the apartment and crèche building, which is located within the settlement boundary of Gort on zoned serviced lands, it is considered that, subject to compliance with the conditions set out below, the alterations to the building, which is connected to the public foul and surface water sewer network and having regard to the separation distance from the nearest European sites, which are located on the opposite (western) site of the M18 Motorway, would have no significant effects on the qualifying interests of these or any other European sites. The Board was satisfied that the alterations to the elevation be retained and that the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment – Screening

The subject site is located approximately 1.47 kilometres south-east of the Coole-Garryland Complex Special Area of Conservation (Site code: 000252) and 1.47 kilometres south-east of the Coole-Garryland Special Protection Area (Site code: 004107). Having regard to the scale and nature of the alterations to the apartment/crèche building sought to be retained and to the location removed from any European Sites, the Board considered that no Appropriate Assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, and by the further plans and particulars received by An Bord Pleanála on the 10th day of August, 2022 except as may otherwise be required in order to comply with the following condition. Where such a condition requires details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars

Reason: In the interest of clarity.

2. The planning conditions as set out under planning reference 18/741 shall be complied with in full.

Reason: In the interest of the proper planning and sustainable development of the area.



Joe Boland

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board**

Dated this *27TH* day of *February* 2024