

An  
Bord  
Pleanála

## Board Order ABP-317894-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway City Council**

**Planning Register Reference Number: 22/267**

**Appeal** by Kenneth and Magdalena McDonagh care of Brendan McGrath and Associates of Riverstown Cottage, Corrofin, County Clare against the decision made on the 4<sup>th</sup> day of August, 2023 by Galway City Council to grant subject to conditions a permission to Bohermore Ventures Limited care of Clarke Construction Design of Kendal House, 3 Abbey Street, Loughrea, County Galway.

**Proposed Development:** Retention of roof construction over back door adjoining toilet facilities to the rear of premises known as Crowe's Bar, 90 Bohermore, Galway.

### Decision

**REFUSE** permission for the above development for the reasons and considerations set out below.

## Reasons and Considerations

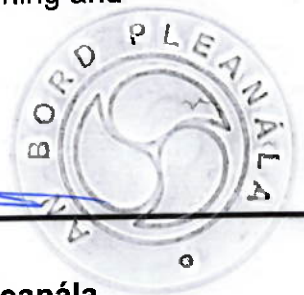
1. On the basis of the submissions made in connection with the planning application and the appeal, it appears to the Board that the development proposed to be retained relates to a site, part of the use of which is unauthorised as a public house, and that the development proposed to be retained would facilitate the consolidation and intensification of this unauthorised use. Accordingly, it is considered that it would be inappropriate for the Board to consider granting permission for the development proposed to be retained in such circumstances.
2. It is considered that the development proposed to be retained, comprising the provision of a roof over an area to the rear of the public house, would facilitate an intensification in the use of this area, and, having regard to the design of this area and its proximity to adjacent residences, the development proposed to be retained would give rise to excessive noise that is likely to cause significant nuisance to residences in the vicinity. The development proposed to be retained would seriously injure the amenities of the area and of property in the vicinity, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Liam Bergin**

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



**Dated this 23<sup>rd</sup> day of October 2024.**