



Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: S5.46.24

WHEREAS a question has arisen as to whether:

- (a) the change of use of a retail shop to a patisserie shop is or is not development or is or is not exempted development;
- (b) works to provide for an internal fit-out, as a patisserie shop, is or is not development or is or is not exempted development,

at Number 27 William Street, Galway.

AND WHEREAS Krispy Kreme Ireland Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin requested a declaration on the said question from Galway City Council and the said Council issued a declaration on the 17th day of January 2025 stating that the said matter is development and is not exempted development:

AND WHEREAS Krispy Kreme Ireland Limited care of Hughes Planning and Development Consultants referred the declaration for review to An Bord Pleanála on the 13th day of February 2025:

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

- (a) Sections 2(1), 3(1), 4(1)(h) and 4(4) of the Planning and Development Act, 2000, as amended,
- (b) Article 5(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Parts 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site and authorised use as a shop,
- (e) the nature of the use being for the sale of goods,
- (f) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) The change of use of a retail shop that was a jeweller to a patisserie shop for the sale of baked goods only, is not development as the nature of the use has not changed.
- (b) The works to provide for an internal fit-out, as a patisserie shop, is development and is exempt development as the works are internal and have no external impact and do not affect the character of the Protected Structure or any element of the structure that contributes to special architectural, historical, artistic, cultural, scientific, social or technical interest.

NOW THEREFORE An Bord 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 of a retail shop to a patisserie shop is not development and the works to provide for an internal fit-out, as a patisserie shop, at Number 27 William Street, Galway is development and is exempted development



Mary Henchy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 10th day of June 2025.