An Coimisiún Pleanála

Commission Order
ABP-322143-25

Planning and Development Acts 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: N/A

Application for Substitute Consent by Gerard and Margaret McNulty in accordance with section 177E of the Planning and Development Act, 2000, as amended by the insertion on section 57 of the Planning and Development (Amendment) Act, 2010, as amended.

Location of Development: Rinville West, Oranmore, County Galway.

Decision

The Commission, in accordance with section 177K of the Planning and Development Act, 2000, as amended, decided to REFUSE substitute consent based on the Reasons and Considerations set out below.

Reasons and Considerations

The Commission considered the exceptional circumstances case put forward by the applicant; "that the garage was modified for residential use in 2020 during the first lockdown of the Covid 19 Pandemic, and it was occupied on the 20.8.2020. It was not possible to make a planning application during this period, so the applicant did not foresee any difficulty in regularising it at a later date, …"(emphasis added) is not accurate, as there were no legislative restrictions put in place preventing the lodging of planning applications at that time. Furthermore, it is evident that the applicant was aware that permission was required. Therefore, the applicant has not demonstrated that exceptional circumstances (in accordance with Section 177K(1A)(a) of the Planning and Development Act 2000(as amended) apply in this case.

Mary Henchy
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 3rd **day of** November **2026.**