

An
Coimisiún
Pleanála

**Commission Order
ACP-323283-25**

Planning and Development Act 2000, as amended

Planning Authority: Galway County Council

Planning Register Reference Number: 2560390

Appeal by Renata Radisic care of Bryan Egan of 12 Saint Francis Street, Galway against the decision made on the 17th day of July, 2025 by Galway County Council to grant subject to conditions a permission to Dom Saint Properties (Galway) Limited care of Atlantic Building Consultants of Unit 1 Digital Hub, Merchants Quay Business Quarter, Frances Street, Kilrush, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for the temporary change of use of 11 apartments to its current use as accommodation for protected persons to include two ground floor apartments, three first floor apartments and six second floor apartments and associated common areas for a period of three years all at Mill Court, Gort, County Galway.

Decision

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

Reasons and Considerations

In considering the development as proposed, the Commission had regard to:

- (a) the development description which is for retention permission for the temporary change of use of eleven apartments to its current use as accommodation for protected persons to include two ground floor apartments, three first floor apartments and six second floor apartment and associated common areas;
- (b) the National Standards, Department of Justice and Equality, which apply to living conditions and services provided to residents within the accommodation centre, submitted with the application;
- (c) the drawings submitted with the application that show unit 8 containing a staff room, office, hall, and bathroom, and the remaining units being in separate locations within the larger apartment scheme;
- (d) the report submitted by the applicant that included a table of accommodation, this identified unit 8 as a single storey apartment / staff office;
- (e) the Operational Management Plan for Mill Court Apartments, Gort, that included details of site management, service supports to residents of the units, facilities, maintenance, security, details of stakeholder engagement; and

- (f) the Planning history of this site, with permission for a total of seventeen residential units and retail at ground floor (planning authority register reference 004518), one of the apartments has since received permission for change of use to office (planning authority register reference 052876).

From the information submitted, the use proposed appears to be akin to an accommodation centre providing not just accommodation but also services and supports to residents. It is not clear if the services and supports for the residents of the protected persons accommodation are to be provided on site, as there is conflicting information regarding the use of unit 8. Neither has the applicant demonstrated, to the satisfaction of the Commission, how the development will operate in tandem with the remaining apartments so as to protect the residential amenity of all residents, noting that, in the details provided, the common areas appear to fall under the management of the accommodation centre, the subject of this application, common areas that in accordance with the parent permission are shared by all residents. Insufficient information, and a lack of clarity, has been provided by the applicant regarding how the proposed use would operate in tandem with the apartment scheme.

In the absence of clarity on these matters the Commission was not satisfied that the proposed development protected the amenity of all residents of the Mill Court Apartment Scheme and therefore considered the proposed development would be contrary to the proper planning and sustainable development of the area.

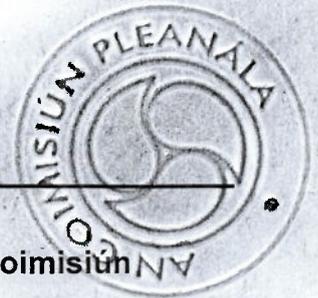
In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the applicant had not provided sufficient detail and lacked clarity with regard to how the use proposed would operate in tandem with the remaining residential units.



Mary Henchy

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *31st* day of *December* 2025