Inspector's Report

PL-501206-GC-26

Development	Permission for development which consists of: retention of alterations to elevation facing St Bridget's place Bohermore.
Location	14 St Bridgets Place , Bohermore , Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	2602
Applicant(s)	Clare O'Neill
Type of Application	Retention Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Clare O'Neill
Observer(s)	None
Date of Site Inspection	08-06-2026
Inspector	Adam Kearney.

1.0 Site Location and Description

1.1. The subject site is located at No. 14 St Bridget's Place, Bohermore, Galway City. Bohermore is an established, predominantly residential inner suburban area located immediately to the north-east of Galway city centre, characterised by traditional terraced and semi-detached dwellings of mixed age and form. The area is fully serviced and is well served by local services, community facilities and public transport.

1.2. The subject property is a two-storey mid-terrace dwelling fronting onto St Bridget's Terrace. To the rear of the dwelling (subject site) is a single-storey flat-roofed structure, formerly in use as a garage/store, the elevation of which addresses St Bridget's Place which is a narrow public street running to the rear of the terrace. The wider streetscape character of St Bridget's Place comprises a mix of rear boundary treatments, pedestrian gates, and single-storey structures of domestic and ancillary character. The site is zoned objective 'R' (Residential) under the Galway City Development Plan 2023–2029.

2.0 Proposed Development

2.1. Permission is sought for the retention of alterations to the rear elevation of the dwelling, being the elevation that faces St Bridget's Place. The works the subject of this application comprise:

(i) the replacement of the former garage roller-shutter door with a personnel door and a single domestic window; and

(ii) the addition of a metal flue pipe to the elevation.

2.2. The existing dwelling has a gross floor area of approximately 108 square metres. No increase in floor area, height, bulk or footprint is proposed or arises from the works, which are confined to elevational alterations to the existing single-storey rear element. A pre-application consultation was held with the Planning Authority prior to the lodgement of the application.

3.0 Planning Authority Decision

3.1. Galway City Council issued a Notification of Decision to Refuse Permission/Retention by Order dated 27 March 2026, for one reason. The Planning Authority considered that the works the subject of the application serve the conversion of the former garage/store to a self-contained residential apartment with independent access from St Bridget's Place and that this constitutes an unauthorised material change of use and that the elevational changes are out of character with the pattern of development in the area. Accordingly to grant retention would perpetuate an unauthorised use, injure the amenities and value of property in the area, and set an undesirable precedent.

4.0 Planning Authority Report Summary

4.1. The Executive Planner's report (dated 26 March 2026) recommended refusal. The report acknowledged that the elevational works themselves involve no increase in floor area, height, bulk or footprint, and that no new vehicular access or off-street parking is proposed. The report's recommendation was founded principally on the position that the former garage/store had been converted to a self-contained residential unit with independent access; that this material change of use was unauthorised by reference to Sections 3(1) and 3(3) of the Planning and Development Act 2000 (as amended); and that the application, being confined to elevational alterations, did not describe or regularise that use, such that the unit size, residential standards, intensity of use and parking demand could not be fully assessed. The report was countersigned by the Senior Executive Planner and Senior Planner.

4.2. Other Technical Reports

4.3. No internal technical reports were received in respect of the application.

4.4. Prescribed Bodies

4.5. No prescribed body submissions were received.

5.0 Third Party Observations

5.1. No third-party submissions or observations were received by the Planning Authority in respect of the application.

6.0 Planning History

6.1. Subject Property

(i) Reg. Ref. 99/745: Permission granted to Angela Martin for an extension comprising one bedroom, and the widening of the garage door entrance, at No. 14 St Bridget's Terrace, Prospect Hill, Galway.

(ii) Reg. Ref. 97/323: Retention Permission granted to Mr. Brian Kennedy for retention of (a) an extension to the house and (b) a garage at No. 14 St Bridget's Terrace, Prospect Hill, Galway.

6.2. Enforcement

The property is the subject of enforcement file Ref. UD25/033. Following a warning letter under Section 152 of the Planning and Development Act 2000 (as amended), the applicant's agent submitted documentation to the Planning Authority by letter dated 2 April 2025, including a sworn affidavit of the applicant's solicitor and a Non-Principal Private Residence Certificate of Payment, to the effect that the property comprised two residential units (No. 14 and No. 14A) at the date of the applicant's purchase in July 2018. By letter dated 28 August 2025, the Planning Authority advised the applicant's agent that, having reviewed the documentation submitted, it was satisfied that Section 157(4)(a) of the Planning and Development Act 2000 (as amended) applies in relation to the use of the garage as a self-contained residential unit, and that it would not be pursuing that element. The letter stated that the alterations to the rear elevation are more recent and that enforcement proceedings would continue in respect of those elements only.

7.0 Policy Context

7.1. Galway City Development Plan 2023–2029

The site is zoned objective 'R' (Residential), the objective of which is to provide for residential development and associated support development, while protecting existing residential amenity and contributing to sustainable residential neighbourhoods.

7.2. Section 11.3.1(i) (Residential Extensions) requires that alterations and extensions respect the character and form of the existing dwelling and its context. The broader policies of the Plan on design quality, the built environment and placemaking, and the protection of residential amenity are also relevant to works to existing dwellings in established urban neighbourhoods. The Plan does not contain a specific policy relating solely to elevational alterations of the present kind.

8.0 Natural Heritage Designations

8.1. The subject site is not located within or immediately adjacent to any Natura 2000 site. The nearest European sites are the Galway Bay Complex SAC (Site Code 000268) and the Inner Galway Bay SPA (Site Code 004031), located to the south, and the Lough Corrib SAC (Site Code 000297).

9.0 EIA Screening

9.1. Having regard to the location, nature and limited scale of the proposed development, comprising elevational alterations to an established dwelling within a built-up residential urban area, and the absence of any significant environmental sensitivity in the vicinity, there is no real likelihood of significant effects on the environment. The development is not of a class of development for the purposes of the EIA Directive. The need for environmental impact assessment can accordingly be excluded at pre-screening, a Preliminary Examination is not required, and no screening determination arises. Refer to Form 1 in Appendix A.

10.0 The Appeal

10.1. First Party Appeal

10.2. A first-party appeal was lodged with An Coimisiún Pleanála on behalf of the applicant by her agent, against the decision of Galway City Council to refuse retention permission. The grounds of appeal may be summarised as follows.

(i) By letter dated 28 August 2025 (Ref. UD25/033) the Planning Authority confirmed that Section 157(4)(a) of the Planning and Development Act 2000 applies to the use of the garage as a self-contained residential unit and that it would not pursue that element. The use is therefore not subject to enforcement, and the only matter properly before the Authority on the retention application was the elevational works.

(ii) The rear elevation has had an opening onto St Bridget's Place for a long period. The opening, and its widening were previously permitted (Reg. Refs. 97/323 and 99/745). The only change effected by the works for retention was the removal of the garage door and its replacement with a window and personnel door, together with a flue pipe.

(iii) The alterations to the rear elevation were carried out in 2018. By letter dated 31 March 2026 the agent reiterated that the rear elevation had been in existence for a long period and that the only change was the removal of the garage door and the installation of a window, which did not alter the street appearance, most of the adjoining properties having similar rear entrances.

(iv) The revised elevation presents a much improved and more domestic appearance, is in keeping with adjoining properties on St Bridget's Place, and does not injure the amenities or depreciate the value of property in the area.

(v) No third-party submission was received, and the works involve no increase in floor area, height or bulk.

10.3. The appellant requests that the Board grant retention permission for the elevational alterations.

10.4. **Planning Authority Response**

10.5. No further response to the appeal was received from the Planning Authority.

11.0 AA Screening

11.1. I have considered the project in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. No nature conservation concerns in relation to European sites were raised in the application or appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment as it could not have any effect on a European site, for the following reasons:

(i) the development comprises minor elevational alterations to an existing dwelling, with no increase in floor area, and no change to water supply, foul drainage or surface water arrangements;

(ii) the urban location of the site within the fully serviced built-up area of Galway city; and

(iii) the separation distance and intervening serviced lands between the site and the nearest European sites, and the absence of any source-pathway-receptor connectivity.

11.2. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European site, either alone or in combination with other plans or projects. Likely significant effects are excluded and Appropriate Assessment under Section 177V is not required.

12.0 Water Framework Directive

12.1. The proposed development comprises minor elevational alterations to an existing dwelling in a fully serviced urban location, with no change to drainage arrangements. Having considered the objectives of Article 4 of the Water Framework Directive, and having regard to the nature and scale of the works, the urban serviced location, and the absence of any direct hydrological connection to a waterbody, I am satisfied that

there is no conceivable risk of deterioration to any surface or groundwater body, and the matter can be excluded from further assessment.

13.0 Assessment

13.1. Overview

13.2. Having visited the site, examined the application details and all documentation on file, including the appeal, the reports of the Planning Authority and having regard to the relevant local and national policy, I consider the substantive issues to be as follows:

- scope of the development
- status of the use of the former garage/store
- character and pattern of development
- Residential Amenity, Property Value and Precedent
- other matters

I address these in turn below.

13.3. Scope of the Development before the Board

The application, and therefore this appeal, is confined to the retention of elevational alterations to the rear elevation facing St Bridget's Place, namely the replacement of the former garage door with a window and personnel door and the addition of a flue pipe. The internal conversion of the former garage/store to residential use is not part of the development for which retention is sought. For the avoidance of doubt, retention of the elevational works would not in itself authorise, and is not necessary for, the separate residential use of the former garage/store, which use remains unauthorised. The works are assessed below on their own planning merits, in the context of the overall residential property at No. 14. The fundamental question is whether retention of the elevational works, judged on their own planning merits, is acceptable.

13.4. **Status of the Use of the Former Garage/Store**

The Planning Authority's refusal is founded principally on the proposition that the elevational works serve, and would perpetuate, an unauthorised material change of use of the former garage/store to a self-contained residential unit. I note, however, that by its own letter dated 28 August 2025 (Ref. UD25/033) the Planning Authority confirmed that it was satisfied that Section 157(4)(a) of the Planning and Development Act 2000 (as amended) applies to that use, and that it would not be pursuing that element of the enforcement case. That determination followed the agent's submission of 2 April 2025, which included a sworn affidavit and a Non-Principal Private Residence Certificate of Payment indicating that the property had been divided into two units (No. 14 and No. 14A) prior to its transfer to the applicant in July 2018.

The Authority thereby accepted that the use is not subject to enforcement. While the time limits in Section 157(4) restrict enforcement rather than confer authorisation, and the separate residential use therefore remains unauthorised, the elevational works the subject of this appeal fall to be assessed on their own planning merits and in the context of the overall residential property at No. 14. The works are not necessary for, and do not of themselves authorise, the separate residential unit. The refusal of retention of the elevational works cannot, in my view, properly be sustained on the basis that to grant it would perpetuate an unauthorised use, where the works do not authorise that use and where the Authority has in any event determined that the use will not be the subject of enforcement action.

13.5. **Character and Pattern of Development**

The Planning Authority considered the elevational changes to be out of character with the pattern of development, which it characterised as one of service or rear-garden access rather than direct access to separate residential units. Having inspected the site, I do not share that assessment in respect of the elevational works themselves. The opening in the elevation addressing St Bridget's Place was previously permitted and widened under Reg. Ref. 99/745. The works for retention replace a utilitarian metal roller-shutter door with a smaller, more domestic arrangement of a window and personnel door, finished in render consistent with the

structure. The photographic material on file (before and after) demonstrates that the revised elevation reads as a more domestic and visually recessive frontage than the former garage door. St Bridget's Place is a mixed rear access thoroughfare containing a variety of boundary treatments, gates and single-storey structures. In that context, the modest works the subject of this application do not, in my assessment, materially injure the character of the area; and if anything, they improve the appearance of the elevation.

13.6. In addition, I have had regard to publicly available historical street-level imagery of the elevation facing St Bridget's Place. That imagery records the former garage/roller-shutter door in place in the view dated June 2017, and the present arrangement of personnel door and window in place in the view dated July 2019. On that basis I am satisfied that the elevational alterations the subject of this application were completed by July 2019, and were therefore in place for a considerable period prior to the making of the application. This is consistent with the appellant's contention that the works were carried out in 2018, and is relevant context to the characterisation of the alterations as more recent in the Planning Authority's letter of 28 August 2025. I have nonetheless assessed the works on their own planning merits, as set out above.

13.7. **Residential Amenity, Property Value and Precedent**

The refusal asserts injury to the amenities and depreciation of the value of property in the area, and the setting of an undesirable precedent. No third-party submission was received in respect of the application, and no evidence of such injury, depreciation or precedent is identified in the Planning Authority's report beyond the assertion itself. The works are minor, involve no increase in floor area, height or bulk, and create no new access. I am not persuaded that the elevational works give rise to any material injury to residential amenity or property value, or that their retention would set an undesirable precedent for development of a different character.

13.8. **Other Matters**

The Executive Planner's report records that certain matters, such as unit size, internal standards and intensity of use, could not be fully assessed because the

application is confined to elevational works. Those are matters going to the internal residential unit, which is not the development before An Coimisiun, and which the Authority has accepted is not subject to enforcement. To the extent that information was considered necessary, the appropriate course would have been a request for further information under Article 33 of the Planning and Development Regulations 2001, particularly given that a pre-application consultation took place. The elevational works do not alter existing access or on-street parking arrangements, and no new vehicular entrance is proposed.

13.9. **Conclusion**

Having regard to the foregoing, I am satisfied that the retention of the elevational alterations facing St Bridget's Place, judged on their own planning merits, is acceptable. The works do not authorise, and are not necessary for, the separate residential use of the former garage/store, which falls to be assessed separately and remains unauthorised. No third-party objection was received and no evidence of amenity injury, depreciation of value or undesirable precedent has been demonstrated. I therefore consider that retention permission should be granted, subject to conditions.

14.0 Recommendation

Having regard to the above, I recommend that retention permission be GRANTED for the proposed development, for the reasons and considerations and subject to the conditions set out below.

15.0 Reason and Considerations

15.1. Having regard to the residential zoning objective for the area, to the pattern of development along St Bridget's Place, to the previously permitted opening in the rear elevation, and to the modest and domestic character of the alterations the subject of the application, and noting that the retention of these elevational alterations does not authorise, and is not necessary for, the separate residential use of the former garage/store, which use is not the subject of this application, it is considered that the retention of the elevational alterations facing St Bridget's Place would not seriously

injure the amenities or depreciate the value of property in the vicinity, would not be out of character with the pattern of development in the area, and would be in accordance with the proper planning and sustainable development of the area.

16.0 Conditions

1.	The development to be retained shall be retained and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. **Reason:** In the interest of clarity.
2.	The external finishes of the rear elevation, including the render finish and the colour and materials of the window and door, shall match those shown on the drawings submitted with the application, unless otherwise agreed in writing with the planning authority. **Reason:** In the interest of visual amenity.
3.	The metal flue pipe the subject of this retention shall be maintained in good condition and shall be the only flue or external duct provided on the elevation facing St Bridget's Place, unless otherwise agreed in writing with the planning authority. **Reason:** In the interest of visual amenity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Adam Kearney
Planning Inspector
17th June 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-501206-GC-26
Proposed Development Summary	Retention of alterations to the elevation facing St Bridget's Place, comprising replacement of a former garage door with a window and personnel door and the addition of a metal flue pipe.
Development Address	14 St Bridget's Terrace, Bohermore, Galway
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified **in Part 1.** **EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.**	
☒ No, it is not a Class specified in Part 1. Proceed to Q	
3..Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

☐X No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	
☐Yes, the proposed development is of a Class and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	
☐Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR** **If Schedule 7A information submitted proceed to Q4. (Form 3 Required)**	

4 Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☐X	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ Date: _____