



An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

**AN BORD PLEANÁLA**  
LDG- 022 831-19  
ABP- \_\_\_\_\_  
20 DEC 2019  
Fee: € 220 Type: cheque  
Time: - By: Reg. Post

19<sup>th</sup> December 2019

**Re: Galway Co Council Planning Ref: ED19/55**

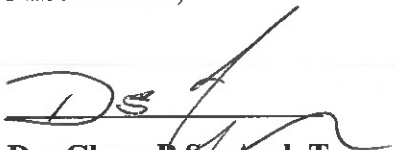
**Declaration of Exempted Development under Section 5 of the Planning & Development Act 2000 – Refurbishment carried out to a Boathouse at Inis Oirr, Aran Islands, Co. Galway for Irish Coast Guard.**

A Chara,

Please find enclosed an Appeal to a Refusal by Galway Co Council (Ref No. Ed19/55) on behalf of our client Irish Coast Guard, Ballaghaline, Doolin, Co. Clare. Please find attached the appropriate fee of €220.00.

Should you require any further information, please do not hesitate to contact this office.

Mise le Meas,

  
Des Glynn B.Sc. Arch.T.  
Grealish Glynn & Associates



**Client**

Irish Coast Guard

**Proposed Development**

Refurbishment carried out to Boat House at Inis Oirr, Aran Islands

**Address of Development**

Inis Oirr, Aran Islands, Co. Galway

**Address of Appellant**

Ballaghaline, Doolin, Co. Clare

**Ref. No. In Planning Register of Galway County Council**

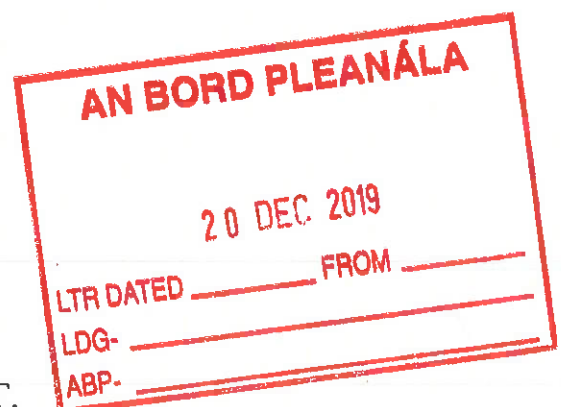
ED19/55

**Date**

19<sup>th</sup> December 2019

**Prepared by**

Des Glynn BSc. Arch. T.  
Grealish Glynn & Associates





## 1. Introduction

After receiving details of the Refusal of Declaration of Exempt Development for our client Irish Coast Guard, we judged that Galway County Council has dealt with this application unfairly. We have been instructed to prepare an appeal of this decision to An Bord Pleanála. I hope that the following information will lead you to making a just and speedy decision in relation to this matter.

This appeal consists of

Chapter 1 - Introduction

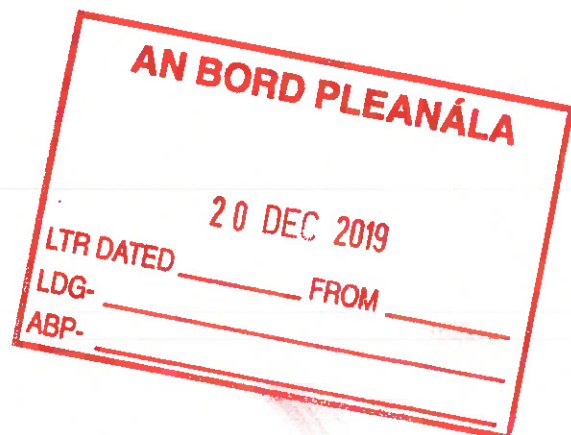
Chapter 2 - Reasons for Refusal

Chapter 3 - Assessment

Chapter 4 - Arguments against Refusal

Chapter 5 - Conclusions

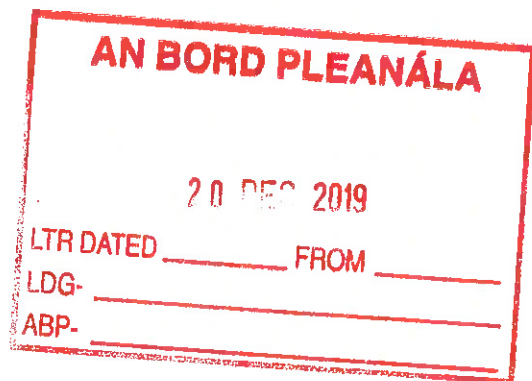
Appendix - Containing a list of attachments to support this appeal





## 2. Reasons for Refusal

1. The definition of “works” set out in Section 2 of the Planning and Development Act 2000 (as amended);
2. The definition of “development” set out in Section 3 of the said Planning and Development Act;
3. Section (3) of the said Planning and Development Act;
4. Section (4) (1) (h) & (4) of the said Planning and Development Act;
5. Article 6 (1) of said Planning and Development Acts;
6. Article 9 (1) (a) subsections (i), (vi), (vii), (viii), (viiB) & (viiC) of said Planning and Development Regulations;
7. Documents submitted from the referrer n this Section 5 application & further information received as part of the FI request







### **3. Assessment**

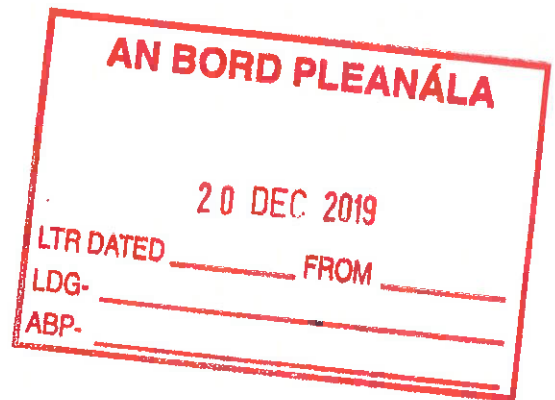
Having studied the reasons for refusal it is clear that Galway Co. Council has not assessed this application properly. Nowhere in the legislation does it state that complete refurbishment is not exempt. There is no definition of what is or is not a complete refurbishment.

### **4. Arguments against Refusal**

The refurbishment, although extensive, is no way a complete refurbishment. All internal and external walls were retained and the roof and roof covering. This building is already serviced by an existing septic tank that was not touched. The refurbishment carried out was the minimum that would be expected to keep this building in everyday use. When refurbishing there are minimum standards of insulation required to meet building regulations. Also as this is a public building, the toilet facilities had to be upgraded and such upgrading included the provision of a wheelchair accessible toilet in accordance with Building Regulations.

The following is a list of works that was carried out over 4 years, 2013 to 2016:

- Windows and Doors replaced;
- New Facia and Soffit;
- Footpaths repaired;
- New Insulation internally to walls, floors and ceiling;
- New internal Doors;
- Fully rewired and fully re-plumbed;
- Existing toilet modified and replaced with wheelchair accessible toilet;
- New floor coverings;
- New Fire Alarm;
- Fully repainted;
- New kitchen unit installed;



Currently throughout the length and breadth of the country buildings are being upgraded to become more energy efficient. There is never a question that the works would require planning permission. It is ridiculous in this case when there is no change of use, no internal change to the layout that planning permission would be required. The building had an existing footpath and slipway externally that was replaced because it was damaged by storms over the years. The only external change is the replacement of the windows and the replacement of the facia and soffit as the old ones had rotted.



The existing building was constructed by the British Coast Guard as a boathouse in or around 1900. An extension and a septic tank was added by the people of the Island in 1960 and the use of the building continued as a Boat house for life saving. The original building is marked in the 1940s Cassini maps as a boathouse. The building was re-slatted in the 1980s but there was little investment in the building until recently. In the last few years the building was rewired, replumbed, has got new windows and doors, has been insulated and painted and the slipway has been repaired.

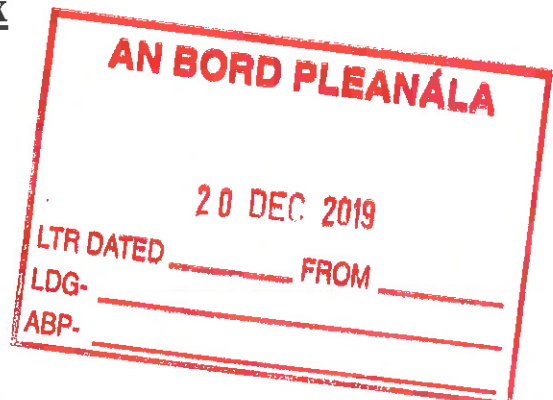
The use as a boathouse for lifesaving purposes should be established as the premises was originally build by the British Coast Guard. The people of the Island also dedicated their time, free of charge, as part of the upgrading work.

## 5. Conclusion

We seek that An Bord Pleanála to grant the Declaration of Exempted Development on the grounds that:

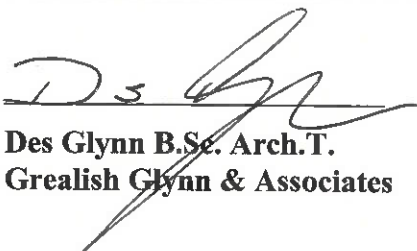
1. The Planning Authority have not given adequate reason for the refusal of this Exemption;
2. A complete refurbishment is not defined in the legislation but a complete refurbishment is the preferred option when complying with Building Regulations.
3. Refusing this Exemption creates an undesirable precedent and will discourage people from upgrading the existing building stock to bringing them into compliance with current legislation.

## Appendix



## Attachments

1. Cover Letter
2. Copy of Refusal ED19/55
3. Fee €220

  
Des Glynn B.Sc. Arch.T.  
Grealish Glynn & Associates



Áras an Chontae,  
Cnoc na Radharc, Gaillimh,  
H91 H6KX

Áras an Chontae,  
Prospect Hill, Galway,  
H91 H6KX.

Fón/Phone: (091) 509 000  
Facs/Fax: (091) 509 010  
Idirlíon/Web: www.gaillimh.ie  
www.galway.ie

@GalwayCoCo  
GalwayCounty

Seirbhísí Corparáideacha  
Corporate Services  
(091) 509 225  
corpsev@galwaycoco.ie

Tithíocht  
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Timpeallacht & Tréidliacht  
Environment & Veterinary  
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Bóithre, Iompar, Cúrsaí Mara  
& Seirbhísí Ginearálta  
Roads, Transportation, Marine  
& General Services  
(091) 509 309  
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Acmhainní Daonna  
Human Resources  
(091) 509 303  
hr@galwaycoco.ie

Mótarcháin  
Motor Taxation  
(091) 509 099  
motortax@galwaycoco.ie

Clár na dToghthóirí  
Register of Electors  
(091) 509 310  
electors@galwaycoco.ie

Seirbhísí Uisce  
Water Services  
(091) 509 505  
water@galwaycoco.ie

Pobal & Fiontar  
Community & Enterprise  
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community@galwaycoco.ie

Pleanáil  
Planning  
(091) 509 308  
planning@galwaycoco.ie

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(091) 562 471  
info@galwaylibrary.ie

E 220



ID/CH/ED19/55

Comhairle Chontae na Gaillimhe  
Galway County Council

AN BORD PLEANÁLA

20 DEC 2019

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_

26<sup>th</sup> November 2019

**RE: Declaration of Exempted Development under section 5 of the Planning & Development Act 2000**

*Description – Refurbishment carried out to boathouse at Inis Oirr, Aran Islands*

**DECISION – NOT EXEMPTED DEVELOPMENT**

A Chara,

I refer to the above application which was received by this office on the 26<sup>th</sup> August 2019.

The Planning Authority, in considering this Section 5 application, had regard particularly to:

- The definition of “works” set out in Section 2 of the Planning and Development Act 2000 (as amended).
- The definition of “development” set out in Section 3 of said Planning and Development Act.
- Section (3) of said Planning and Development Act.
- Section 4 (1) (h) & (4) of said Planning and Development Acts.
- Article 6(1) of said Planning and Development Regulations.
- Article 9(1)(a) subsections (i), (vi), (vii), (viii), (viiB) & (viiC) of said Planning and Development Regulations.
- Documents submitted from the referrer in this Section 5 application & further information received as part of the FI request.

Cont'd



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Cnoc na Radharc, Gaillimh,  
H91 H6KX

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Prospect Hill, Galway,  
H91 H6KX.

Fón/Phone: (091) 509 000  
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Idirlíon/Web: [www.gaillimh.ie](http://www.gaillimh.ie)  
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@GalwayCoCo  
GalwayCounty

Seirbhísí Corparáideacha  
Corporate Services  
(091) 509 225  
[corpserv@galwaycoco.ie](mailto:corpserv@galwaycoco.ie)

Tithíocht  
Housing  
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Human Resources  
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Register of Electors  
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## Comhairle Chontae na Gaillimhe Galway County Council

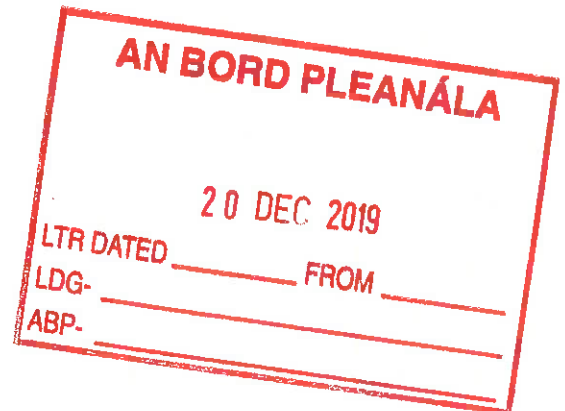
The Planning Authority, in exercise of the powers conferred on it by Section 5 of the 2000 Planning Act (as amended), hereby decides that:

That the completed refurbishment of boat house as per letter, photos, schedule of works and specification submitted, including exterior works are considered as part of this declaration, as per images submitted as part of further information requested at Inis Oirr, Aran Islands, Co. Galway is development and is **not exempted development** under Article 4(1) subsections (h) of the 2000 Planning and Development Act (as amended).

Mise le meas

  
Ian Donoghue

Planning & Sustainable Development Unit







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Cnoc na Radharc, Gaillimh.  
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CH/ED 19/55

Comhairle Chontae na Gaillimhe  
Galway County Council

Irish Coast Guard  
c/o Grealish Glynn & Assoc  
1 The Punchbowl  
Ennis Road  
Gort  
Co Galway

2<sup>nd</sup> September 2019

**RE: Declaration of Exempted Development under section 5 of the Planning & Development Act 2000 – ED19/55**

*Description – Refurbishment carried out to boathouse at Inis Oirr, Aran Islands*

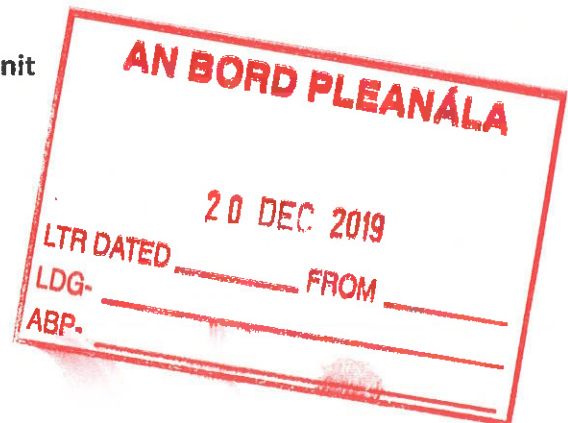
A Chara,

I refer to the above application which was received by this office on the 26<sup>th</sup> August 2019.

The reference for this application is **ED19/55** and you will be notified of the decision in writing in due course.

Mise le meas

  
**Caroline Hannon**  
Planning & Sustainable Development Unit





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Cnoc na Radharc, Gaillimh.  
H91 H6KX

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Comhairle Chontae na Gaillimhe  
Galway County Council

Irish Coast Guard  
c/o Grealish Glynn & Assoc  
1 The Punchbowl  
Ennis Road  
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19<sup>th</sup> September 2019

**RE: Declaration of Exempted Development under section 5 of the Planning & Development Act 2000 – ED19/55**

*Description – Refurbishment carried out to boathouse at Inis Oirr, Aran Islands*

**REQUEST FOR FURTHER INFORMATION**

A Chara,

I refer to the above application which was received by this office on the 26<sup>th</sup> August 2019.

The works include refurbishment carried out to boathouse at Inis Oirr, Aran Islands, as declared in the Section 5 Exempted Development Application form, but it is unclear to the Planning Authority of the question been asked, with regards to which elements are included in the refurbishment works carried out on the structure, as submitted with the Section 5 Application. The following details therefore shall be requested as **further information**:

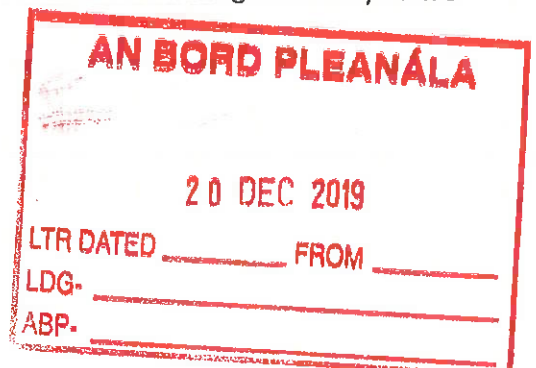
- Please provide an itemised list of refurbishment works carried out on the mentioned structure, for which an opinion is sought, also provide plans and specifications for the same.
- Provide photos of the structure prior to refurbishment works been carried out.

Please arrange to submit this further information to the Planning Authority so we can assess the declaration request further.

Mise le meas

Ian Donoghue

Planning & Sustainable Development Unit





Planning Section  
Galway Co. Council  
Prospect Hill  
Galway

7<sup>th</sup> November 2019

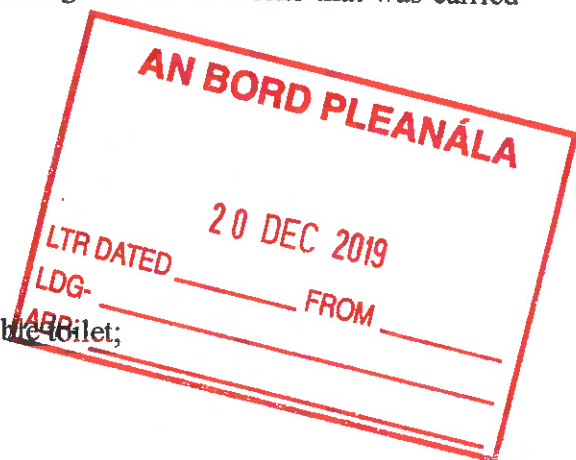
**Reply to Request for Further Information**

**Re: Your Ref: ID/CH/ED19/55 – Refurbishment carried out to boathouse at Inis Oirr, Aran Islands for Irish Coast Guard**

A Chara,

I refer to your letter dated the 19<sup>th</sup> of September 2019. The following is a list of works that was carried out over 4 years, 2013 to 2016:

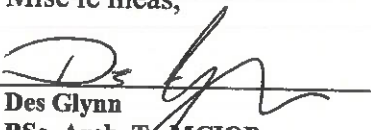
- Windows and Doors replaced;
- New Facia and Soffit;
- Footpaths repaired;
- New Insulation internally to walls, floors and ceiling;
- New internal Doors;
- Fully rewired and fully re-plumbed;
- Existing toilet modified and replaced with wheelchair accessible toilet;
- New floor coverings;
- New Fire Alarm;
- Fully repainted;
- New kitchen unit installed;



I have attached plans that were tendered at the time of construction and the specification. I have also attached pictures from 2014 when the windows were being replaced.

Should you require any further information, please do not hesitate to contact this office.

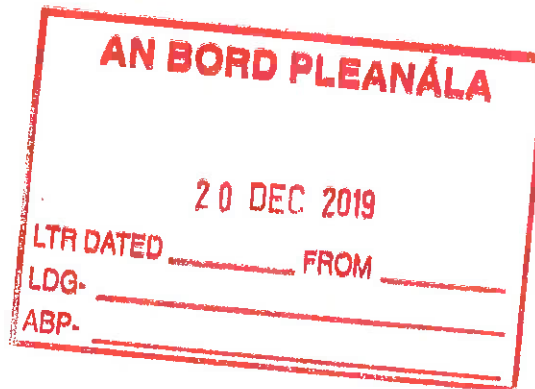
Mise le meas,

  
Des Glynn  
BSc. Arch. T. MCIQB  
PG Dip. Civil Eng. & Const. Management  
Registered Building Surveyor B0349  
Grealish Glynn & Associates





Planning Section  
Galway Co. Council  
Prospect Hill  
Galway



23<sup>rd</sup> August 2019

**RE: Refurbishment of Boat House**

Dear Sirs,

The attached application is required as the Irish Coast Guard are taking over the running of this building for training and life saving purposes. The building will be run from the main Irish Coast Guard Premises in Doolin Co. Clare.

The existing building was constructed by the British Coast Guard as a boathouse in or around 1900. An extension and a septic tank was added by the people of the Island in 1960 and the use of the building continued as a Boat house for life saving. The original building is marked in the 1940s Cassini maps as a boathouse. The building was re-slatted in the 1980s but there was little investment in the building until now. In the last few years the building was rewired, replumbed, has got new windows and doors, has been insulated and painted and the slipway has been repaired.

The Irish Coast Guard require a certificate of exemption to confirm that the refurbishment is exempt from planning permission and no change of use is required. The use as a boathouse for lifesaving purposes should be established as the premises was originally build by the British Coast Guard.

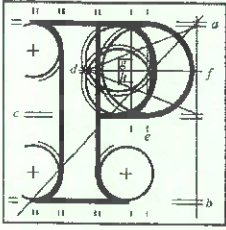
Should you require any further information, please do not hesitate to contact this office.

Mise le meas,

Des Glynn  
BSc. Arch. T. MCIQB  
PG Dip. Civil Eng. & Const. Management  
Registered Building Surveyor B0349  
Grealish Glynn & Associates







An  
Bord  
Pleanála

## Planning Appeal Check List

(Please read notes overleaf before completing)

1. The appeal must be in writing (e.g. not made by electronic means).

2. State the

name of the appellant  
(not care of agent)

Irish Coast Guard

address of the  
appellant  
(not care of agent)

Ballaghaline  
Doolin  
Co Clare

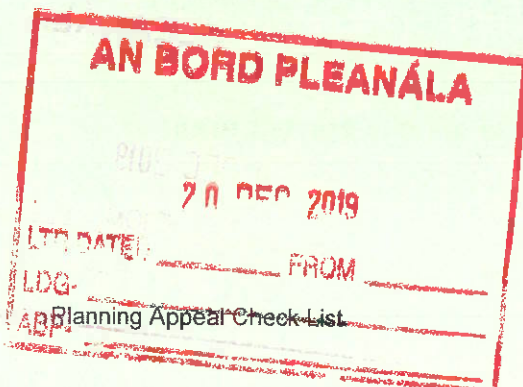
3. If an agent is involved, state the

name of the agent

Greatish Strand Assoc

address of the agent

1 The Punchbowl  
Ennis Rd  
Sant  
Co Galway



4. State the Subject Matter of the Appeal\*

Brief description of the development

Is the refurbishment of a boathouse at  
Inis Oirr Exempt development

Location of the development

Inis Oirr, Aran Islands

Name of planning authority

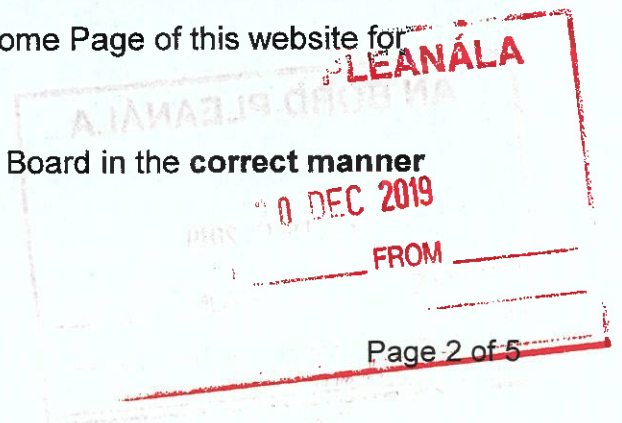
Galway Co Council

Planning authority register reference number

ID/CH/ED19/55

\* Alternatively, enclose a copy of the decision of the planning authority as the statement of the Subject Matter of the Appeal.

5. Attach, in full, the grounds of appeal and the reasons, considerations and arguments on which they are based.
6. Attach the acknowledgement by the planning authority of receipt of your submission or observations to that authority in respect of the planning application, the subject of this appeal. (Not applicable where the appellant is the applicant).
7. Enclose / Pay the correct fee for the appeal and, if requesting an oral hearing of same, the fee for that request see "[Guide to Fees Payable](#)" under heading of Making an Appeal on Home Page of this website for current fees.
8. Ensure that the appeal is received by the Board in the **correct manner and in time.**





**AN BORD PLEANÁLA**  
LTR DATED 20 DEC 2019 FROM \_\_\_\_\_  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_



1995年10月10日

1995年10月10日

1995年10月10日

1995年10月10日

1995年10月10日



20 DEC 2019  
LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_





**AN BORD PLEANÁLA**  
LTR DATED 20 DEC 2019  
LDG- \_\_\_\_\_ FROM \_\_\_\_\_  
ABP. \_\_\_\_\_

