



An  
Bord  
Pleanála

**Board Direction**  
**BD-013656-23**  
**ABP-312326-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/09/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

- 1 It is considered that the proposed development, which would result in an intensification of use of a private roadway onto the National Secondary Road, N84, at a point where the speed limit of 100 kilometre per hour speed control zone applies, the additional and conflicting traffic movements generated by the development would interfere with the safety and free flow of traffic on the public road and would, therefore, endanger public safety by reason of a traffic hazard.
- 2 The proposed development would be contrary to specific policy objectives NR1 and NR4 of the Galway Development Plan 2022-2028 which seek to protect and preserve the strategic function of national routes. The proposals would undermine the achievement of these policy objectives and would, therefore, be contrary to the proper planning and sustainable development of the area.
- 3 The Board noted that the 'Appropriate Assessment Screening Report' received by the planning authority 6<sup>th</sup> day of October 2021 did not appear to consider the potential hydrogeological pathway in assessing likely significant effects on Natura 2000 sites. The applicant's Appropriate Assessment screening exercise concluded that there were no potential significant effects on any Natura 2000 sites arising from the proposed development and Appropriate Assessment (Stage 2) was not needed. This appears to conflict with the applicant's 'Phase 1 Updated Hydrogeological Assessment' received

by the planning authority on the same date. The Board noted that the vulnerability of the groundwater underlying the application site is classified as extreme based on the presence of shallow and exposed bedrock at the site, as stated in section 5 'Hydrogeological Conceptual Site Model' of the aforementioned Hydrogeological Assessment. Furthermore, that assessment goes on to state that the groundwater in the area is anticipated to discharge to Lough Corrib SAC and Lough Corrib SPA. Having regard to, inter alia, that identified vulnerability and anticipated groundwater discharge to those Natura 2000 sites, the applicant's Hydrogeological Assessment recommends a number of mitigation measures (ref. section 7 'Proposed Mitigation Measures' of the Hydrogeological Assessment). Having regard to this apparent conflict arising between the applicant's Appropriate Assessment Screening Report and the Hydrogeological Assessment, the Board was not satisfied that the proposed development would not be likely to have a significant effect on the Lough Corrib SAC or the Lough Corrib SPA, in view of those sites' Conservation Objectives.

**Board Member**



Tom Rabbette

**Date:** 11/09/2023