



An  
Bord  
Pleanála

**Board Direction**  
**BD-017004-24**  
**ABP-315558-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/07/2024.

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

### **Reasons and Considerations**

The Board is not satisfied, on the basis of the information submitted with the application and appeal, including the revised Appropriate Assessment Screening Report and the Natura Impact Statement (NIS) submitted to the Planning Authority as additional information on the 19th day of October, 2022 and the additional information submitted as part of the appeal submission to An Bord Pleanála on the 13th day of January, 2023, having regard to the precautionary principle, that there is reasonable scientific certainty that the proposed development would not adversely affect the integrity of a European Site in the vicinity, in the light of the conservation objective and qualifying interests for which this site was designated. In particular, it is considered that there is a risk of contravening the conservation objective for the Golden Plover species within the River Suck Callows Special Protection Area (site code 004097). It is considered that inadequate site specific and species-specific mitigation is proposed which would serve to restore the conservation status the Golden Plover species, as required under the conservation objective. Accordingly, to grant the proposed development would be contrary to Policy Objective NHB 1 of the Galway County Development Plan 2022-2028 which seeks to protect and where possible enhance our natural heritage sites, designated under EU legislation, and to the proper planning and sustainable development of the area. Having regard to the

uncertainty which exists, in relation to the impact of the development on the qualifying interests and conservation objective and consequently, the integrity of the European Site in the area, the Board is precluded from granting planning permission by reason of Article 6(3) of the EU Habitats Directive and of Section 177V (3) of the Planning and Development Act 2000, as amended.

**Board Member**



**Date:** 16/07/2024

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Peter Mullan