

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Galway County

Planning Register Reference Number: 16/834

An Bord Pleanála Reference Number: PL 07.247214

APPEAL by Coleman Rock care of Grealish Glynn and Associates of 1 The Punchbowl, Ennis Road, Gort, County Galway against the decision made on the 11th day of August, 2016 by Galway County Council to refuse permission.

PROPOSED DEVELOPMENT: Retention of (1) extension to an existing engineering workshop previously granted under planning register reference number 01/393, (2) new building consisting of engineering workshop, (3) storage structures and (4) associated site works at Knockauntouk, Gort, County Galway.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. Having regard to the provisions of the Galway County Development Plan 2015-2021, and in particular Objectives EDT 7 and EDT 11 of this Development Plan, and to the planning history of the subject site, and in particular the previously permitted small scale light engineering workshop (216 square metres in area), to which planning permission register reference number 01/393 relates, it is considered that the development for which retention is sought would, by reason of the uses carried out therein, and by reason of the scale of the current operation on the site (which is approximately five times the area of the originally permitted development), constitute a substantial scale of development that is not limited to light engineering uses, and that no longer qualifies as a rural enterprise in this rural setting, as provided for in the Development Plan, and would be more appropriately located on serviced zoned lands within an urban setting. The development for which retention is sought would therefore, be contrary to the provisions of the County Development Plan, would create a precedent for similar future developments in the rural area, and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the design, bulk, mass and height of the large scale industrial/commercial development on the site, in an open and exposed setting within a Class 4 (Special) rural landscape, as defined in the Galway County Development Plan 2015-2021, it is considered that the development for which retention is sought forms a dominant, overbearing and inappropriate form of development in a rural setting, which fails to appropriately fit into or integrate effectively into this sensitive rural landscape. The development would, therefore, interfere with the character of the landscape, would materially contravene Objectives LCM 1 and LCM 2 contained in the Galway County Development Plan and would detract from the visual amenity of the area. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The subject site has been identified as hosting limestone pavement which is protected under Objectives NHB 2 and NHB 4 of the Galway County Development Plan 2015-2021. The removal of this limestone pavement in order to facilitate the construction of an extended yard and the additional building denoted as number 3, would materially contravene these objectives, and the Board is not satisfied, based on the documentation submitted with the planning application and appeal, that this removal of limestone pavement was not carried out subsequent to the original development of this site in 2001. Accordingly, the development for which retention has been sought would be contrary to the provisions of the Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The subject site is served by a local road network which is narrow and has a limited carrying capacity, and by an entrance that is inherently unsuited to use in a safe fashion by articulated lorries. The Board is not satisfied, based on the documentation submitted with the application and appeal, that the applicant has demonstrated that the expanded engineering use on the site has not and does not generate an increase and intensification in traffic movements over that authorised by planning permission register reference number 01/393, and that such increase and intensification would be within the carrying capacity of the road and could be achieved without serious risk to traffic safety and convenience. Accordingly, the development for which retention is sought would endanger public safety by reason of traffic hazard or obstruction of road users. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The subject site immediately adjoins the Coole-Garryland Complex Special Area of Conservation (Site Code 000252), for which limestone pavement is listed as a qualifying interest and Annex I priority habitat, and whose conservation objective is to maintain or restore the favourable conservation conditions of the Annex I habitat(s) and/or the Annex II species for which the Special Area of Conservation has been selected. Having regard to the lack of information provided in relation to the habitats present on site prior to the development taking place, the potential flood risk concerns identified, the lack of adequate information in relation to wastewater and surface water disposal, and the lack of information provided in relation to the management of hydrocarbons and waste management generally on the site, the Board cannot be satisfied, in the absence of a comprehensive Natura Impact Statement, that the development for which retention is sought has not had, and would not have in the future, either individually or in combination with other plans or projects, a significant effect on the Coole-Garryland Complex Special Area of Conservation (Site Code 000252). In such circumstances, the Board is precluded from considering a grant of planning permission.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017.