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Bord  
Pleanála

**Board Order**  
**PL 07.247650**

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## **Planning and Development Acts 2000 to 2016**

**Planning Authority: Galway County**

**Planning Register Reference Number: 16/274**

**Appeal** by Tuam Anglers Association care of Richard Jordan of 74 Gilmartin Road, Tuam County Galway and by Larkin Engineering Street Products of Business Centre, Weir Road, Tuam, County Galway against the decision made on the 3<sup>rd</sup> day of November, 2016 by Galway County Council to grant subject to conditions a permission to Wheeley Environmental Refuse Services Limited care of Enviroguide Consulting of 93 Upper Georges Street, Dun Laoghaire, County Dublin.

**Proposed Development** Retention for existing industrial (waste recycling, recovery and transfer) buildings 4493.2 square metres including loading ramp, existing weighbridge, weighbridge office, existing 2.2 metre high, shuttered concrete retaining wall, existing drainage including 65,000 litre rainwater harvesting tank and all ancillary site development works. Permission is sought for the completion of works to the final section of the existing building and the installation of five number roller shutter doors. Permission is also sought for the extension of the retaining wall 125.88 metres along the southern boundary, all at Weir Road Business Park, Tuam, County Galway.

## **Decision**

**REFUSE permission for the above proposed development in accordance with 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 location of the subject development and the pattern of development in the vicinity, and having regard to the nature and significant scale of the subject development, and the intensity of use, it is considered that the development for which retention is sought would seriously injure the amenities of the area, including existing neighbouring commercial premises, by reason of odour, litter and traffic, and would represent an inappropriate form and scale of development at this location. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The site of the proposed development is on a floodplain of the Clare River and is prone to flooding. The River forms part of the Lough Corrib Special Area of Conservation (Site Code 000297). Having regard to the “Flood Risk Management Guidelines for Planning Authorities”, issued by the Department of the Environment, Heritage and Local Government in 2008, and notwithstanding the proposed flood management proposals, it is considered that the intensification and expansion of a waste management facility at this location would be inappropriate and would pose an unacceptable risk of serious environmental pollution.

