



An
Bord
Pleanála

Board Order
PL 07.248983

Planning and Development Acts 2000 to 2017

Planning Authority: Galway County Council

Planning Register Reference Number: 16/1425

Appeal by Adrian Quinn care of McCarthy Keville O'Sullivan Limited of Block 1, G.F.S.C., Moneenageisha Road, Galway against the decision made on the 5th day of July, 2017 by Galway County Council to refuse permission.

Proposed Development: The proposed development includes: (i) Retention of existing external car storage yard and car sales area, (ii) demolition of existing vehicle workshop and permission for construction of a larger vehicle workshop building along the northern boundary and (iii) retention of extension to existing garage and all associated sit works at Ballymaquiff North, Labane, 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 nature and scale of the development proposed for which retention is sought, which comprises a car repair garage, a car wash facility and an extensive area of surface car parking/storage, all of which may have given rise to unmanaged and contaminated surface water runoff, and the elevated position and close proximity of the subject site relative to a local Turlough which has a direct aquatic connection via groundwater to the nearby Ballinduff Turlough Special Area of Conservation (Site Code: 002295), which in turn discharges to the Coole-Garryland Complex Special Area of Conservation (Site Code: 000252) and the Coole-Garryland Special Protection Area (Site Code: 004107) further to the south-west, and notwithstanding the plans and particulars that were provided with the application and appeal, the Board cannot be satisfied that the development for which retention is sought individually, or in combination with other plans or projects, would not have had a significant effect on the Ballinduff Turlough Special Area of Conservation (Site Code: 002295), or any other European site, in view of the conservation objectives of such sites. In such circumstances, the Board is precluded from granting permission.

