



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 18/1879

APPEAL by Kieran Moran care of Oliver Higgins of Unit 4B, Oranmore Business Park, Oranmore, County Galway against the decision made on the 19th day of August, 2019 by Galway County Council to refuse permission.

Proposed Development: Modifications to an existing car sales premises (previous planning register reference number 17783 refers). The modifications include: 1. the demolition of an existing single storey motor service workshop, car-valet bay and removal of existing prefabricated sales office unit; 2. the construction of a single storey building to provide sales offices, staff facilities, small car showroom (2 cars) and to encompass the previous motor service workshop use and valet bay. 3. All ancillary site works to include removal of palisade fencing adjoining the public road (R381) and provision of a low wall; modifications to external sales area to include hard and soft landscaping, lighting and the provision of customer and staff parking and for all associated signage. 4. The replacement of an existing septic tank with a proprietary treatment system and all other associated works, all at Glennascaul Townland, Oranmore, 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. On the basis of the submissions made in connection with the planning application and the appeal, it is evident that the proposed development relates to a site where the extent of buildings and the intensity of use that has taken place, over and above the small shed for car sales use granted under planning register reference number 49060, does not have the benefit of planning permission and would not constitute exempted development, and would therefore be unauthorised. The proposed development would facilitate the consolidation and intensification of this unauthorised use. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of planning permission for the proposed development in such circumstances.

2. The site of the proposed development is located in a rural area which is not zoned for development in the current Galway County Development Plan 2015 – 2021. It is considered that the proposed development, which would represent a significant and material intensification of the development permitted under planning register reference number 49060, would contravene materially the development objectives EDT 7, EDT 9, EDT 11 and DM Standard 12, as set out in the Development Plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the site access directly onto a Regional Road, and the fact that the subject development involves a significant intensification of the development permitted under planning register reference number 49060, it is considered that, in the absence of a full Traffic and Transport Assessment, and a Road Safety Audit, the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Philip Jones

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

Dated this day of 2020