

Planning and Development Acts 2000 to 2020

Planning Authority: Galway County Council

Planning Register Reference Number: 20/1832

APPEAL by Chanelle Pet Unlimited care of MKO of Tuam Road, Galway against the decision made on the 5th day of February, 2021 by Galway County Council to refuse permission.

Proposed Development: Change of use of a former skin and hide store to a storage and distribution hub (including administration area). Works will include the demolition of an existing store (existing store building A – gross floor area: 1,073 square metres) and associated tanks, external and internal alterations to an existing store including the construction of a ramp and dock leveler (existing store building B – gross floor area: 1,367square metres). Works also include for the installation of a new wastewater treatment system and the upgrade of the existing surface water management system, removal of an existing vehicular access and the creation of a new vehicular access point to the public road. The proposed development also includes appropriate landscaping as well as all associated site development works and services. All at Eskershanore, Kilchreest, Loughrea, County Galway.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

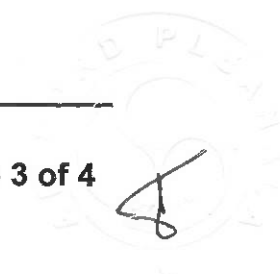
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

1. It is considered that the proposed storage and distribution development would result in an unsustainable form of development not considered compatible or generally suitable to an unserved rural area and is a use that is considered most suitable to appropriately zoned and serviced lands. Therefore, if permitted as proposed the development would materially contravene Objectives EDT 11 and EDT 7 of the Galway County Development Plan 2015-2021 which seeks to provide for rural oriented developments in accordance with the criteria set out under Objective EDT 11 to align industrial and enterprise to serviced and appropriately zoned lands in the Local Area Plans for the county.



2. The proposed development is located over a major aquifer of regional importance and high vulnerability and in close proximity to the Owenshee River which flows into the nearby Peterswell Turlough, a designated Special Area of Conservation. Having regard to the planning history associated with the site, the siting of the proposed wastewater treatment system within a confined and restricted area, the high water table at this location and the poor natural soil characteristics, the deficit of adequate information or assessment provided to address the Board's previous concerns relating to site suitability, the Board is not satisfied that the site appears capable of accommodating the proposed development in the context of wastewater treatment and disposal. The proposed development would, thereby, constitute an unacceptable risk of pollution of both ground and surface waters in the vicinity, which would be prejudicial to public health and to the proper conservation of the environment. Accordingly, and notwithstanding the existing established use of the site, it is considered that the proposed development would be contrary to the proper planning and sustainable development of the area.



3. On the basis of the information provided with the planning application and the appeal, particularly in relation to the deficit of adequate information on the wastewater treatment system and notwithstanding the submission of the Natura impact statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not result in adverse effects on the integrity of Peterswell Turlough Special Area of Conservation (Site Code: 000318) and the Lough Coy Special Area of Conservation (Site Code: 002117) in view of the sites' conservation objectives for the reasons set out in condition number 2 above. In such circumstances, the Board is precluded from granting permission



Terry Ó Niadh

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 29th day of September, 2021.

