



An  
Bord  
Pleanála

**Board Order**

**ABP- 313513-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Galway County Council**

**Planning Register Reference Number: 22/60111**

**Appeal** by James Mannion care of Brendan Slevin and Associates of 7 The Mill Courtyard, Bridge Street, Gort, County Galway against the decision made on the 11<sup>th</sup> day of April, 2022 by Galway County Council to refuse permission for the proposed development.

**Proposed Development:** Retention of storage yard including hardcore fill, palisade security perimeter fencing, welfare building and commercial trailers used for storage purposes and all associated services all at Lavally, Gort, County Galway.

## **Decision**

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

## Reasons and Considerations

- 1 The site is accessed from a minor road which is substandard in terms of width and alignment. The traffic, especially the Heavy Goods Vehicles traffic generated by the development would, if permitted, interfere with the safety and free flow of traffic and endanger public safety by reason of traffic hazard and obstruction of road users.
- 2 The development generates an unknown volume of traffic, including a number of movements by heavy goods vehicles, which the road network in the vicinity of the site is not capable of accommodating safely due to the restricted width and capacity of the Pound and Station Roads in the vicinity of the site and the restricted capacity of its junction with the R458, Regional Road at Bridge Street. The development would, therefore, result in obstruction of road users, would give rise to traffic congestion and would endanger public safety by reason of traffic hazard.
- 3 Having regard to the location of the site, together with adjoining land, within the zone of influence of the Coole/Garryland Special Area of Conservation (Site Code:000252) and the Coole/Garryland Special Protection Area (Site Code:004107), it is considered that:
  - (a) the retention of the trailer storage facility could result in the continued significant loss of natural eutrophic lakes, Turloughs rivers with muddy banks and semi-dry calcareous grassland habitat, which are included on Annex I of the European Union Habitats Directive of 1992; and
  - (b) the retention of the trailer storage facility could give rise to continued increased disturbance to wildlife, including the Whooper Swan (which is a protected species included on Annex II of the European Union Habitats Directive), from human activity in what was formerly a relatively



undisturbed area.

Notwithstanding (a) and (b) above the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that adequate information has been provided on the impact of the development on hydrological and ecological conditions within the Annexed habitat and the resulting implications for wildlife and flora.

It is therefore considered that the Board is unable to ascertain, as required by Regulation 27(3) of the European Communities (Natural Habitats) Regulations, 1997, that the development does not adversely affect the integrity of a European Site, and it is considered that the development would be contrary to the proper planning and sustainable development of the area.



**Joe Boland**

**Member of An Bord Pleanála**

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

Dated this *19<sup>th</sup>* day of *September* 2023