



An
Bord
Pleanála

Inspector's Report ABP-318817-24

Development	The replacement of the existing ancillary gated storage area/yard, with an enclosed storage extension to the existing building and all associated site development and external works. A Natura Impact Statement (NIS) accompanies this application.
Location	Clooneen, Headford, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	2261212
Applicant(s)	Andrew Curran.
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First
Appellant(s)	Andrew Curran
Observer(s)	None.
Date of Site Inspection	6 th August 2024.
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The existing site is occupied by AC Tyres on the N84, approx. 2.2km South of Headford. The site is in the townland of Clooneen between Headford and Galway City.
- 1.2. There is an existing standalone single storey structure on site, used for the existing tyre business on site. There is a low front boundary wall on site, with two accesses in and out of the site. There is an external used tyre storage section along the eastern boundary of the site. To the immediate east of the property is a single storey residential property with party boundary wall and hedge.
- 1.3. Site size is stated at 0.25ha.

2.0 Proposed Development

- 2.1. Provision of “roof canopy” over the existing storage area. This involves a solid front wall and roller shutter access door to cover the external tyre storage area.

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued a single reason for refusal as follows:

1. Having regard to the nature of the proposed development, the information included with the planning application on an existing commercial site outside the N84 National Road 50/60kph speed limit, the planning authority is not satisfied that the proposed development in conjunction with the existing development, would cumulatively be at variance with DM standard 28 and DM Standard 33(a), Policy Objectives NR1, NR3 and NR4 of the Galway County Development Plan 2022 – 2028 and National Official Policy in relation to control of development on/affecting national roads as outlined in the DoECLG Spatial Planning and National Road Guidelines for Planning Authorities (2012). Therefore, in relation to safeguarding the transport function of national roads and associated national road junctions, it is considered that the proposed development would interfere with the safety and endanger public

safety by reason of traffic hazard or obstruction of road users or otherwise and therefore would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning authority reports on file. The reports can be summarised as follows:

- Due cognisance is given to the existing business on site, however the PA must have regard to the TII submission and in order to fully assess the impact of the development on the local and national road network requires further analysis through the submission of a Traffic and Transport Assessment and a Road Safety Audit in accordance with TII publications and Policy Objective NR3 and DM Standard 27 of the County Development Plan.

- A further information request was issued based on the above assessment.

The further information sought the following:

- The applicant is requested to submit a Traffic and Transport Assessment in accordance with DM standard 24 of the Galway County Development Plan.
- A stage 1/2 Road safety audit is required to be completed in accordance with TII publications
- The applicant is requested to submit detailed drawings showing swept path analysis for cars and large vehicles entering, exiting and circulating through the site.
- In order to demonstrate compliance with DM Standard 31 of the County Development Plan 2022 – 2028, the applicant is required to submit an itemised car parking schedule and car parking calculations for both the existing and proposed development.
- With regard to the NIS submitted the applicant has not had regard to the fluvial food risk associated with the application site.

- Upon receipt of further information, the applicant revised the proposal to omit the hardstanding area/turning area on site. The extension has also been removed from the proposal and this has been replaced with a roof canopy which is open to the side and rear with roller door feature to the front elevation. The roof canopy is with regard to the existing storage yard only.
- The Traffic and Transport Assessment dated 2015 and Road Safety Audit dated 2015 are considered inadequate. They are out of date in terms of existing traffic count data and lacks a current up to date analysis of the operation of the adjoining national route where the speed limit of 100kmph applies. There are also a number of road junctions in close proximity to the overly wide site frontage presented. The storage area and associated delivery access roller door is directly opposite to an existing vehicular access point where the potential exists for haphazard traffic movements.
- TII continues to express serious concerns regarding the development. The submission of outdated information and the overly wide and uncontrolled nature of the roadside frontage/access point as presented in the application could give rise to haphazard traffic movements where the speed limit of 100kph applies and potential to occur in close proximity to a number of existing road junctions within 50m of the site to the north/north-west.
- Having regard to the above assessment and the failure of the applicant to fully satisfy the requirements of Policy Objectives NR 1, NR 3, NR 4 and DM standard 27 and where the proposed development intensifies existing access off a national secondary road contrary to national policy guidance.

3.2.2. Other Technical Reports

- Internal Roads & Transportation Section Report – Response to further information
 - In the absence of satisfactory information relating to Transport and Traffic Assessment and a comprehensive review of all current potential transportation impacts
 - In the absence of satisfactory information relating to the request for a road safety audit

- The absence of demonstration of improving existing vehicular access arrangement where there is currently inadequate separation provided between the existing northern and southern access onto the N84
- The absence of demonstrating compliant sight distance triangles and required vertical envelope of visibility at site entrance
- The absence of requested demonstration of swept path analysis for cars and large vehicles entering, exiting and circulating through the site while cognisant of the proposed high roller door in close proximity to access/egress point.
- The lack of satisfactory information and requested assessment in relation to access arrangement to the local road L-6167.

Having regard to the lack of information supplied with the above the authority is not satisfied that the proposed and existing development cumulatively would be at variance with DM Standard 28 and DM Standard 33 (a) of the County Development Plan.

3.3. Prescribed Bodies

- Transport Infrastructure Ireland – 2 responses to original application and further information –
 - Official policy in relation to development involving access to national roads and development along such roads is set out in the DoECLG. Section 2.5 of the Guidelines states that the policy of the planning authority will be to avoid the creation of any additional access points for new development or the generation of increased traffic from existing access to national roads to which speed limits of greater than 60 kmph apply
 - The proposal would be in variance with section 2.7 of DoECLG guidelines with regard to National Roads Interchanges or junctions. The proposal if permitted would create an adverse impact on the national road and associated junction.

- The proposal would endanger public safety by reason of a traffic hazard due to the movement of the extra traffic generated.
- Additional trip generation in and out of the overly wide access onto the national road where the maximum speed limit applies increases hazard to road traffic at this location particularly given its proximity to a junction.

3.4. Third Party Observations

None

4.0 Planning History

- PA reg ref: 17/938 – Permission granted to Andrew Curran on 07/08/2017 “for amendments to previously permission 17/330 comprising of provision of pitched roof, full height enclosing wall and roller shutter doors to previously approved canopy/ external work area, minor alterations to approved staff welfare facilities and all associated external works. Gross floor space of approved works 78sqm
- PA reg ref – 17/330 – Permission granted to Andrew Curran on 3/05/2017 “to upgrade and improve the existing garage/workshop. The upgrades and improvements will include the provision of an extension to accommodate staff welfare facilities, canopy, waste water treatment system and polishing filter and all associated site works. Gross floor space of approved works 38sqm

5.0 Policy Context

5.1. Galway County Development Plan 2022 - 2028

Section 28 DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities

Section 2.5:

Lands adjoining National Roads to which speed limits greater than 60 kmh apply:
The policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kmh apply. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.

Section 2.6:

Exceptional Circumstances Notwithstanding the provisions of Section 2.5 above, planning authorities may identify stretches of national roads where a less restrictive approach may be applied, but only as part of the process of reviewing or varying the relevant development plan and having consulted and taken on board the advice of the NRA and having followed the approach outlined below.

Section 2.7:

Development at National Road Junctions or Interchanges

5.2. Development Plan

Galway County Development Plan 2022 - 2028

NR 1 Protection of Strategic Roads

To protect the strategic transport function of national roads and associated national road junctions, including motorways through the implementation of the 'Spatial Planning and National Roads Guidelines for Planning Authorities' DECLG, (2012) and the Trans-European Networks (TEN-T) Regulations.

NR 3 - Traffic and Transport Assessment (TTA) and Road Safety Audit (RSA)

Require all applications for significant development proposals which have the potential to impact on the National Road Network to be accompanied by a Traffic and Transport Assessment (TTA) and Road Safety Audit (RSA), carried out by suitably competent persons, in accordance with the TII's Traffic and Transport Assessment Guidelines and TII Publications (Standard) GE-STY-01024 (Road Safety Audit) respectively.

NR 4 - New Accesses Directly on National Roads

The policy objective of the Planning Authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kmh apply. This provision, in accordance with the relevant TII Guidelines, applies to all categories of development'. Consideration will be given, where appropriate, for the facilitation of regionally strategic projects and utility infrastructure.

- DM Standard 26
- DM standard 28

5.3. Natural Heritage Designations

Lough Corrib SAC – 2.3km southwest

5.4. EIA Screening

See completed form 2 on file. Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site as well as the criteria set out in Schedule 7 of the Planning & Development Regulations there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental

impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. This is a first-party appeal challenging the decision of Galway County Council to refuse planning permission for the proposed development. The grounds of the appeal directly address the single reason for refusal cited by the Council. The key points of the appeal are as follows:
- 6.1.2. Established Permitted Use: The development in question relates to an established and permitted use on the site. The gated yard area, which is now proposed to be covered by a roofed canopy, was previously established under planning permission PA Reg. Ref. 17/938. As part of the current appeal, it is proposed to replace the existing outdoor storage yard with a roof canopy. This canopy is open-ended, resulting in no additional floor space or storage capacity being created. Consequently, no additional car parking is required. The roofed area is intended solely for staff welfare purposes, specifically to keep stored tyres dry during inclement weather. Therefore, the proposal does not constitute an intensification of use on the site.
- 6.1.3. Compliance with DM Standard 28: The proposed development involves the addition of a "roof canopy" over an existing gated storage area. Importantly, there are no changes proposed to the previously permitted and established sightlines on the N84. As such, the Sight Distance standard referenced in DM Standard 28 is not relevant to the assessment of the current application.
- 6.1.4. Compliance with DM Standard 33(a): DM Standard 33(a) requires a Traffic and Transport Assessment (TTA) and a Road Safety Audit (RSA) & Road Safety Assessment for all significant development proposals. However, the appellant argues that the proposed roof canopy is not a significant development and therefore does not warrant these assessments.

- 6.1.5. Compliance with Policy NR 1: The proposed development does not result in any intensification of use or development on the site. It merely involves the addition of an open canopy over an existing storage area, without increasing the use of the existing access. Therefore, the provisions of Policy NR 1, which pertain to intensification of development, are not applicable in this case.
- 6.1.6. Compliance with Policy NR 3: Similar to the argument regarding DM Standard 33(a), the appellant contends that the proposed roof canopy is not a significant development. As such, the requirements for traffic and transport assessments under Policy NR 3 should not apply.
- 6.1.7. Compliance with Policy NR 4: The proposed development does not involve the creation of an additional access point onto the N84, nor does it generate any increased traffic on the N84. Consequently, Policy NR 4 is not relevant to the assessment of this proposal.
- 6.1.8. The applicant addresses the concerns raised by the Roads Section of Galway County Council and TII, asserting that these concerns are unfounded for the following reasons:
- No Revisions to Road Layout: The current proposal does not involve any changes to the road layout previously permitted under planning application 17/938. There is no intensification of the use of the existing access and egress arrangements. The development does not involve the creation of additional floor space; it simply provides a covered canopy over an existing storage area. The proposed replacement of the gated access to the storage area with a roller shutter door at the same location will not alter the existing and permitted turning movements on-site. During the construction phase, vehicular access to and from the local road will be temporary and will not serve as a permanent vehicular access. The road layout will remain unchanged from what was granted in 2017.
 - Previous Assessments and Permissions: Under planning application 17/938, which received a grant of permission, the development proposal underwent an assessment of the existing layouts. This included a Road Safety Audit and a Traffic and Transport Assessment, to which neither TII nor the Roads Section raised objections. Given that the current proposal does not involve any intensification or

change to the previously approved layouts, it should be considered minor in nature concerning the National Road.

In conclusion, the appellant argues that the proposed development, which involves the addition of a roof canopy over an existing storage area, does not constitute a significant or intensifying use of the site. The development complies with relevant standards and policies, and there are no substantive changes to the existing road layout or access arrangements that would warrant a refusal of permission.

6.2. **Planning Authority Response**

None

6.3. **Observations**

None

6.4. **Further Responses**

None

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant national and local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Road Safety
- Other Issues
- Appropriate Assessment

7.2. Road Safety

The single reason for refusal cited by the Planning Authority was that the proposed development, in conjunction with the existing development on the site, would cumulatively contravene both national and local policy. The applicant has contested this reason, addressing each specific policy referenced. The applicant emphasises

that the proposal involves the addition of a covered roof area over an existing yard, with no increase in floor space or intensification of use on the site. The internal yard and parking areas will remain unchanged.

7.2.1. Original and Revised Proposal

The original proposal submitted with this application sought to replace the existing ancillary gated storage area/yard with an enclosed storage extension to the existing Tyre Centre building, along with an increased hardstanding area and associated site development works. Following a request for further information by the Planning Authority, particularly regarding a Traffic and Transport Assessment (TTA) and a Road Safety Audit (RSA), the applicant submitted a revised proposal significantly reducing the scope of the development.

The revised proposal now involves providing a covered area over the existing yard space on the south side of the building. The existing security gates at the yard entrance are to be replaced with a roller shutter door. The proposed covered area will remain open on the southern and eastern sides, extending to a height of 6.5 meters and covering approximately 93 square meters of the existing yard area. The applicant has stated that the site's operations will remain consistent with those permitted under development 17/938 in terms of operation and layout. The purpose of the covered area is to provide a sheltered space for employees and to keep stored tyres dry during adverse weather, with no resulting intensification of use on the site.

7.2.2. Policy Considerations

The Planning Authority recommended refusal of permission based on the proposed development's inconsistency with local and national policies concerning development adjacent to a National Road.

- **DM Standard 28** of the Galway County Development Plan 2022–2028 pertains to sight distance and stopping sight distance.
- **DM Standard 33(a)** requires that all significant development proposals be accompanied by a TTA, RSA, and Road Safety Impact Assessment (RSIA).
- **Policy NR 1** – Safeguarding the function of national roads and junctions
- **Policy NR 3** – requirements for significant development proposals to carry out a TTA and RSA

- **Policy NR 4** – new accesses directly onto national road or intensification of use of existing access

The applicant argues that these policy objectives should not apply to this case, as the access and egress arrangements for the site remain unchanged from the previously permitted development under 17/938, except for the addition of the covered area. No revisions to the previously approved sightlines on the N84 are proposed. The applicant contends that the development is minor and does not warrant the submission of a TTA or RSA. However, the applicant did resubmit the TTA and RSA from the 2017 application. Despite this, the Planning Authority expressed concerns regarding the absence of satisfactory information on road safety and traffic impacts. Specifically, concerns were raised about the adequacy of sightlines at the access point from the rear of the property onto the local road and the potential conflict posed by the location of the roller shutter door opposite the site access off the N84.

7.2.3. Road Safety Concerns

While I consider the revised proposal to not be a significant development, there are legitimate concerns regarding the existing site arrangements and the potential for conflict with the N84. The applicant proposes using a temporary access off the local road L6167 during construction, reverting to pedestrian use afterward. However, I consider the absence of sightline details for this entrance to be significant, given its proximity (approximately 45 meters) to the junction with the N84. Without appropriate sightline details, I agree that the development proposal does not comply with DM Standard 28 and conflicts with Policy Objective NR1 with regard to safeguarding National Roads and Junctions. Additionally, an updated TTA and RSA are necessary to assess the potential impact of this access on the N84 junction, in accordance with DM Standard 33(a) and Policy Objective NR3 of the Galway County Development Plan 2022–2028. In the absence of sufficient information in this regard, I recommend that planning permission be refused.

7.2.4. Existing Access/Egress Arrangements

Regarding the existing access and egress arrangements on the site, it is noted that no changes are proposed, and the internal layout remains consistent with the previously approved planning permission 17/938. The Roads Section raised

concerns about the location of the proposed roller shutter door directly opposite the access and the potential for conflict between vehicles on the site. However, I do not consider this issue substantial enough to warrant refusal, given that the internal layout is pre-existing. The roller shutter door is merely replacing an existing gate to the yard area and does not alter the existing arrangement. While I acknowledge the potential for conflict as noted by the Roads Section, the existing site arrangement does not justify a refusal, particularly given the lack of intensification of use at the existing access point.

In conclusion, while there are valid concerns regarding sightlines and road safety, the proposed development itself is minor and does not introduce significant changes to the site's operations or access. However, the absence of updated and satisfactory road safety information with regard to rear access and its interaction with the N84 junction, justifies the refusal of planning permission.

7.3. Other Issues

7.3.1. Flooding

As part of response to further information request the applicant has submitted a site specific flood risk assessment for the site .A Flood Risk Assessment report for the site has been prepared by Hydro-S. The primary flood risk mechanism for this specific site is fluvial flooding from the Headford Stream and Turloughcor Stream which is located to the northwest of the subject site. The Preliminary Flood Risk Assessment (PFRA) map suggests that the subject site may be in a fluvial flood risk area, although this map's low resolution makes it difficult to identify individual sites accurately. The medium priority CFRAM (Catchment-based Flood Risk Assessment and Management) flood risk map indicates that the northwest corner of the subject site is within a flood risk area.

7.3.2. The design floods both streams at the subject site were estimated using the OPW's Flood Studies Update (FSU) method. Combining the channel flood level and the bridge afflux the 100year and 1000year flood levels for the proposed development is estimated to be 29.06m and 29.55m OD. This shows that the proposed site and development area on the site is in Flood Zone C in respect to the Fluvial flood risk and thus not subject to Flooding. For climate change allowance the 1000year level as per guidance is taken to be the future 100year flood level The finished floor level

of 30.25m OD provides a freeboard clearance over 1000year of 0.7m which is considered to be acceptable. This level will also provide freeboard against local storm water pluvial ponding from the surrounding hard paved area.

- 7.3.3. Coastal and pluvial flooding are not relevant flood mechanisms at the subject site. The risk of groundwater flooding from rising groundwater levels is also low. The wastewater system is located north of the existing structure. Given that the estimated 0.1% chance fluvial flood risk level, including a 20% climate change allowance, the risk of submergence of the wastewater system is low.
- 7.3.4. According to the sequential approach outlined in the Planning Systems and Flood Risk Management guidelines, the entire development site is in Flood Zone C. The proposed development is not classified as a highly vulnerable category of development. The guidelines define the categories based on the specific structures rather than the site itself. Therefore, a justification test is not required. The sequential approach next considers surface water management. As a justification test is not needed, the proposed development includes soak areas to manage surface runoff from the roof, ensuring that the development will not obstruct flow paths or increase flood peaks in the river. Consequently, the development will not elevate flood risk at the site or elsewhere.
- 7.3.5. In conclusion, the proposed development is suitable under the Planning Systems and Flood Risk Management guidelines (OPW, 2009) and will not have adverse effects on flood risk to adjacent properties, as detailed in the report.

8.0 AA Screening

Appropriate Assessment Screening Determination

(Stage 1, Article 6(3) of Habitats Directive)

- 8.1.1. I have considered the proposed development of a covered storage area in light of the requirements of S 177S and 177U of the Planning and Development Act 2000 as amended.

A Natura Impact Statement was submitted as part of the application.

8.1.2. A detailed description is presented in Section 1 of my report. In summary, the proposed development site is a brownfield site with an existing tyre premises thereon, surrounded by agricultural land and adjacent to a single rural dwelling. The development will comprise of construction of a single covered area over an existing yard area. There is no surface water runoff from the site and collected rainwater is discharged to soak pits on site. Wastewater is currently discharged to a packaged waste water treatment system and eventually discharged to ground.

There is an existing hard standing area and car park on site.

There is a watercourse to the immediate west of the site known as the Headford Stream and it is assumed this connects into Lough Corrib SAC and Lough Corrib SPA 2.34km downstream.

There are no other ecological features of note on the site that would connect it directly to European Sites in the wider area.

European Sites

The proposed development site is not located within or immediately adjacent to any site designated as a European Site, comprising a Special Area of Conservation (SAC) or Special Protection Area (SPA). Two of European sites are located within 2.34km Kilometers of the potential development site.

Lough Corrib SAC [000297]

Lough Corrib SPA [004042]

Given the limited scale of the proposal, I do not consider it necessary to examine the potential for significant effects on any European Sites beyond those of Lough Corrib SAC and SPA. .

European Site	Qualifying Interests (summary)	Distance	Connections
Lough Corrib SPA [000402]	Wintering water birds (13x species) Wetland and waterbirds	2.34km	No direct

<p>Lough Corrib SAC [000279]</p>	<p>Habitats:</p> <p>Oligotrophic Waters containing very few minerals [3130] Oligotrophic to Mesotrophic Standing Waters [3140] Hard Water Lakes [3260] Floating River Vegetation [6210] Orchid-rich Calcareous Grassland* [6410] Molinia Meadows [7110] Raised Bog (Active)* [7120] Degraded Raised Bog [7150] Rhynchosporion Vegetation [7210] Cladium Fens* [7220] Petrifying Springs* [7230] Alkaline Fens [8240] Limestone Pavement* [91A0] Old Oak Woodlands [91D0] Bog Woodland*</p> <p>Species:</p> <p>Freshwater Pearl Mussel (Margaritifera margaritifera) [1092] White-clawed Crayfish (Austropotamobius pallipes) Version date: 07.03.2022 2 of 5 000297_Rev22.Docx [1095] Sea Lamprey (Petromyzon marinus) [1096] Brook Lamprey (Lampetra planeri) [1106] Atlantic Salmon (Salmo salar) [1303] Lesser Horseshoe Bat (Rhinolophus hipposideros) [1355] Otter (Lutra lutra) [1833] Slender Naiad (Najas flexilis) [6216] Slender Green</p>	<p>2.3km</p>	<p>Potential Hydrological Connectivity via the Headford Stream</p>
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	Feather-moss (<i>Hamatocaulis vernicosus</i>)		
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8.1.3. Likely impacts of the project (alone or in combination)

Due to the limited nature of the development proposal and the relevant small scale construction impacts and brownfield nature I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors. The applicant has set out mitigation measures under Section 6 of the NIS, these mitigation measures are not exceptional to standard best practice construction techniques and have also been set out as part of a construction and environmental management plan. In my view the development is not likely to have significant negative impacts on any European site.

The proposed development would not have direct impacts on any European site. During site clearance, construction of the proposed covered area and site works, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water. However the site is at a significant distance from nearest European site and minor nature of works involved would not create a negative impact.

The contained nature of the site and distance from receiving features connected to Lough Corrib SPA and SAC make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites.

8.1.4. Likely significant effects on the European sites in view of the conservation objectives

The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the SAC or SPA. Due to distance and lack of meaningful ecological connections there will be no changes in ecological functions due to any construction related emissions or disturbance.

There will be no direct or ex-situ effects from disturbance on mobile species including otter during construction or operation of the proposed development. There will be no significant disturbance to any wintering birds (ex-situ) that may occasionally use the amenity grassland area adjacent to the proposed development site.

8.1.5. In combination effects

The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area. No mitigation measures are required to come to these conclusions. I consider the construction methodology as set out in Section 6 of the submitted NIS are standard measures to prevent ingress of pollutants and is not a mitigation measure for the purpose of avoiding or preventing impacts to the SAC or SPA.

8.1.6. Overall Conclusion

Screening Determination

Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within Lough Corrib SAC or Lough Corrib SPA or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site
- Distance from and weak indirect connections to the European sites
- No significant ex-situ impacts on wintering birds

9.0 Recommendation

I recommend planning permission be refused for the following reason:

10.0 Reasons and Considerations

A secondary access is proposed to the rear of the site onto local road L6167, this access is approx. 45m from the junction with the N84. In the absence of sufficient demonstration through the submission of an up to date Road Safety Audit and Traffic and Transport Assessment of safe access and egress from this secondary access and demonstration of safe interaction with the Junction of the N84, the board is not satisfied that the proposed development, in conjunction with existing on site development would conflict with the Council's Policy, as expressed in the DM Standard 28, DM Standard 33 (a) and specific policy NR1 of the Galway County Development Plan 2022 – 2028.

The proposal would also conflict with Section 2.7 of the Department of the Environment Guidelines with respect to Spatial Planning and National Roads (January, 2012) which seek to curtail development along National Roads, to safeguard the strategic role of the National Road Network and to safeguard junction of National Roads.

The traffic movements likely to be generated by the proposed new secondary access and their interaction with the N84 junction would interfere with the safety and free flow of traffic on the national road, and would, be contrary to Section 28 Guidelines, would set an undesirable precedent for similar such development and would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Darragh Ryan
Planning Inspector

21st of August 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP 318817-24		
Proposed Development Summary	Cover of a storage yard		
Development Address	Clooneen, Headford, Co. Galway		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>	Yes	Yes	
	No		
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	Yes		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No		N/A	
			No EIAR or Preliminary Examination required
Yes	Yes	Class 3	
			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	318817-24	
Proposed Development Summary	Construction of a covered area over existing yard area	
Development Address	Clooneen, Headford , Co Galway	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The site is located on a brownfield site of an existing tyre centre. The proposed development is not exceptional in the context of existing environment.</p> <p>No the proposal is to construct a covered area over existing storage area. All waste can be managed through standard construction management measures.</p>	No
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>No the red line boundary of the site remains the same. There is no extension to boundary as a result of proposed development. The site area is 0.25ha.</p> <p>There are no other developments under construction in proximity to the site. All other development are established uses.</p>	No
Location of the Development	The proposed development is located 2.34km north of Lough Corrib SAC and Lough Corrib SPA.	No

<p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The proposal includes standard best practices methodologies for the control and management of wastewater and surface water on site.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>	
Conclusion		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)

