

An  
Bord  
Pleanála

**Board Direction**  
**BD-008861-21**  
**ABP-309603-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/08/2021.

The Board decided to approve the proposed development generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

In coming to its decision, the Board had regard to the following:

- a) the EU Habitats Directive (92/43/EEC) and Part XAB of the Planning and Development Act 2000, as amended, including Part 177(AE) and 177(V);
- b) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites;
- c) the Conservation Objectives, Qualifying Interests and Special Conservation Interests for Lough Corrib SAC (000297) and Lough Corrib SPA (004042);
- d) the policies and objectives of the Mayo County Development Plan, 2014-2020 (as extended) and of the Draft Mayo County Development Plan, 2021-2027;
- e) the nature and extent of the proposed works as set out in the application for approval;

- f) the drawings and documents received by the Board, including the Natura Impact Statement; and
- g) the report and recommendation of the inspector.

### **Appropriate Assessment**

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that Lough Corrib SAC (000297) and Lough Corrib SPA (004042) are the only European Sites for which there is a possibility for significant effects to arise.

The Board considered the Natura Impact Statement and all other relevant details that formed part of the application and carried out an Appropriate Assessment of the implications of the proposal for the Lough Corrib SAC (000297) and Lough Corrib SPA (004042) in view of the Sites' Conservation Objectives.

The Board considered that the information before it was adequate to allow the carrying out of an Appropriate Assessment.

In completing the assessment, the Board considered, in particular:

- (i) the likely direct and indirect impacts arising from the proposal both individually or in combination with other plans or projects, specifically upon Lough Corrib SAC (000297) and Lough Corrib SPA (004042);
- (ii) the mitigation measures which are included as part of the current proposal; and
- (iii) the Conservation Objectives for the two relevant European Sites.

In completing the Appropriate Assessment, the Board accepted and adopted the Appropriate Assessment carried out and recorded in the inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites.

In overall conclusion, the Board was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the sites' Conservation Objectives.

**Proper Planning and Sustainable Development and Likely effects on the environment.**

Taking account of the mitigation measures proposed to protect water quality during the construction phase, it is considered that the proposed development would not give rise to significant negative effects on the water environment, and having regard to the limited nature and scale of the proposed development and the absence of any other significant environmental sensitivities in the vicinity, there is no real likelihood of significant effects on the environment arising from the proposed development. The issues arising from the proximity/ connectivity to European Sites are dealt with under the heading of Appropriate Assessment above. No adverse effects on the environment would arise during the use of the public space (post-construction).

It is also considered that the proposed development would make a positive contribution to the village and its retail and service function, would enhance the visual amenities of the area and would provide a focal point for the community in a unique waterfront setting. The proposed development would be consistent with the relevant Objectives and Policies set out in the Mayo County Development Plan 2014-2020 (as extended) and the Draft Mayo County Development Plan, 2021-2027, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application except where otherwise may be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. All mitigation and environmental commitments identified in the Natura Impact Statement shall be implemented in full as part of the proposed development.

**Reason:** In the interest of protecting receiving water quality, the wider environment and the integrity of the European Sites.

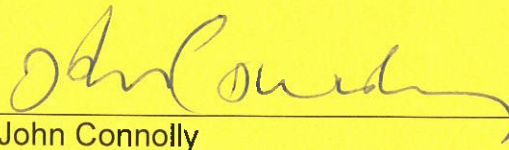
3. All works shall have regard to Inland Fisheries Ireland's published guidelines for construction works near waterways (Guidelines on Protection of Fisheries during Construction Works in and Adjacent to Waters, 2016).

**Reason:** In the interest of protecting receiving water quality, the wider environment and the integrity of the European Sites.

4. The local authority, or any agent acting on its behalf, shall ensure that all plant and machinery used during the works shall be thoroughly cleaned and washed before delivery to the site to prevent the spread of hazardous invasive species and pathogens.

**Reason:** In the interest of protecting receiving water quality, the wider environment and the integrity of the European Sites.

Board Member

  
John Connolly

Date: 06/08/2021