



An
Bord
Pleanála

Board Direction
BD-010240-22
ABP-309759-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/03/2022.

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

Reasons and Considerations

Having regard to the nature and scale of the development, the pattern of development in the area, the provisions of the Galway County Development Plan 2015-2021, the 'Wastewater Treatment Manual – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' published by the Environmental Protection Agency in 1999, 'The Planning System and Flood Risk Management Guidelines for Planning Authorities', published by the Office of Public Works in 2009, and the objectives of the Water Framework Directive, the Board concluded that, subject to compliance with the conditions set out below, the proposed development would not have unacceptable impacts on the environment and human health, including via impacts on water quality, would feature an acceptable form of wastewater treatment, would not be at risk of flooding and would not present a risk of flooding to other sites, would not seriously injure the amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment - Stage 1

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the Planning Authority on the 12th day of December 2018 under reference 18/1605 and as amended by the further plans and particulars submitted to An Bord Pleanála on the 7th day of February 2019 under case reference 303654-19, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. All the environmental and construction mitigation and monitoring measures set out in the Natura Impact Statement, shall be implemented in full and in accordance with the timelines set out. In this regard, prior to the commencement of the development such mitigation and monitoring measures shall be set out as a written schedule including committed timelines, and the schedule shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of clarity and to mitigate the environmental effects of the proposed development.

3. All ecological avoidance measures shall be implemented in full and carried out in accordance with best ecological practice in consultation with statutory agencies (where necessary).

An ecologist shall be appointed to advise on any works, such that they will be carried out in accordance with best practice guidance. All mitigation measures will be undertaken in consultation with statutory bodies as required.

Reason: In the interest of the visual amenities of the area.

6. Drainage arrangements, including the disposal of surface water and provision of fuel interceptor(s), shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

8. (a) The proposed packaged wastewater treatment system shall be located, constructed and maintained in accordance with the details submitted to An Bord Pleanála on the 7th day of February 2019 under case reference 303654-19, and in accordance with the requirements of the document entitled 'Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' prepared by the Environmental Protection Agency in 1999. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

(b) Within three months of the first occupation of the centre, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proposed packaged wastewater treatment plant has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA Manual and with wastewaters not exceeding a chemical oxygen demand of 125mg/l.

(c) The development shall include for a connection to the wastewater network fronting the site to enable a future connection to be made upon commissioning of the municipal sewerage treatment plant for the area, and

- (f) Features to prevent the spillage or deposit of clay, rubble or other debris on the pier and public road network;
- (g) Features addressing noise, lighting, dust and vibration, and observing/reviewing of such levels;
- (h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (i) Means to ensure that surface water run-off is controlled;
- (j) Details of the site manager, contact numbers (including out of hours) and public information signs at the entrance to the facility.

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of clarity, amenities, public health, safety, water quality and protecting biodiversity.

12. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

13. A plan containing details for the management of waste/recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste/recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.