



An  
Bord  
Pleanála

**Board Direction**

**BD-016528-24**

**ABP-315772-23**

**Re: Amending Board Order**

**S146A of the Planning and Development Act, 2000, as amended**

The submissions on this file were considered at a Board meeting held on 10/06/2024.

**WHEREAS** the Board made a decision to approve the proposed development, subject to conditions, in relation to the above-mentioned development by order dated the 9<sup>th</sup> day of April, 2024,

**AND WHEREAS** it has come to the attention of the Board that a request was received from MWP, the agent for Galway County Council by email dated 15<sup>th</sup> April, 2024 requesting clarification regarding the wording to condition number 4(b) of the Order,

**AND WHEREAS** the Board considered that the correction of the above-mentioned matter would not result in a material alteration of the terms of the development, the subject of the decision,

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the application the subject of this amendment,

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that Condition number 4(b) of its Order shall be as follows:

4. The following nature conservation requirements shall be complied with:
  - (a) The works shall be carried out in compliance with the Inland Fisheries Ireland document "Guidelines on protection of fisheries during construction works in and adjacent to waters" (2016)."
  - (b) No in-stream works shall be undertaken without prior consultation with Inland Fisheries Ireland, and the works shall not be undertaken between October and June (inclusive).
  - (c) The free passage of fish shall be fully accommodated, and the temporary road diversion shall utilise a bailey bridge structure instead of the proposed piping of the watercourse.
  - (d) In-stream works shall take place during periods of low water flows.
  - (e) A pre-construction otter survey by a suitably qualified ecologist shall be carried out before works commence, any destruction of otter holts or relocation of otter species shall be carried out by a suitably qualified ecologist under a Derogation Licence granted by the Minister for Housing, Local Government and Heritage).

- (f) Any riparian vegetation removal shall take place during the period 1st day of March to 31st day of August (inclusive).
- (g) Any riparian zones damaged by machinery or equipment shall be fully re-instated.
- (h) Prevention measures shall be put in place to prevent the introduction or spread of Zebra mussel in the watercourse.

**Reason:** In the interests of biodiversity and nature conservation.

**Board Member:**



Stephen Bohan

**Date:** 10/06/2024