



An
Bord
Pleanála

Board Direction
BD-015949-24
ABP-315842-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/03/2024.

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 policies and objectives of the Roscommon County Development Plan 2022-2028 and the location of the site on lands zoned Leisure, Tourism and Recreation Area and Green Belt Area, in the Hodson Bay/Barrymore Area Plan contained in Volume II of the statutory plan, to the design, scale and temporary nature of the proposed development, and to the pattern and character of development in the vicinity, it is considered that the proposed development would not seriously injure the visual amenities of the area, would be acceptable in terms of traffic safety and convenience, would not endanger public health, would not have significant negative effects on the environment or the community in the vicinity, and would not give rise to a risk of pollution. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and it would not give rise to likely effects on the environment.

1.0 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 on the 7th day of July 2022 and the 3rd day of November 2022 and by the further particulars received by An Bord Pleanála on the 16th day of March 2023, 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 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.(a) This permission shall be for a period of 5 years from the date of this order. The facilities hereby permitted shall then be removed unless, prior to the end of the period, permission for their retention shall have been obtained.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interest of visual amenity.

3.(a) The developer shall ensure that all mitigation measures set out in the Natura Impact Statement received by the planning authority on the 7th day of July 2022 and supporting documentation submitted with the application, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

(b) programme of monitoring of the mitigation measures set out in the Natura Impact Statement shall be agreed in writing with the local authority prior to the commencement of development. A record of ecological monitoring shall be retained for the duration of this permission.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

4. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall prepare in consultation with the relevant statutory agencies, a Construction Environmental Management Plan (CEMP), incorporating all mitigation measures indicated in the Natural Impact Statement (NIS) report, and demonstration of proposals to adhere to best practice and protocols.

Reason: In the interest of protecting the European Sites and biodiversity.

5. 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."

(b) No vegetation removal shall take place during the period 1st March to 31st August (inclusive).

Reason: In the interest of biodiversity and nature conservation.

6. Details of all external signage shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

7. Water supply and drainage arrangements for the site, including the collection and disposal of wash water from the inflatables, shall comply with the requirements of the planning authority for such works and services. A detailed method statement that details all aspects of wash operations shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of environmental protection and public health.

8. The developer shall enter into water and wastewater connection agreements with Uisce Éireann prior to the commencement of development.

Reason: In the interest of public health.

9. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented by the Baysports management company for the facility hereby permitted. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

10. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member



Stephen Brophy

Date: 27/03/2024