



An
Bord
Pleanála

Board Direction
BD-016896-24
ABP-316165-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/07/2024.

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 planning history pertaining to the associated landholding, particularly to the maritime and cultural heritage centre granted permission under planning reg. ref. 18/1605 (An Bord Pleanála ref. ABP-309759-21), and also having regard to the pattern of development in the vicinity and the policy objectives of the Galway County Development Plan 2022 -2028 specifically policy objectives TI 1 Tourist Infrastructure, TI 2 Visitor Accommodation, and DM Standard 44: Camping and Caravan Sites, and the scale and nature of the proposed development and permitted development, it is considered that the proposed development would not seriously injure the amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic and pedestrian safety and visual amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the further particulars received by

An Bord Pleanála on the 29th 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 31st day of March 2022 under appeal reference number PL07.309759 (planning register reference number 181605), and any agreements entered thereunder. The permission the subject of this order shall expire on the 31st day of March 2027.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development. No glamping pods shall be occupied in advance of the completion of the Maritime and Cultural Heritage Centre.

Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed tourism accommodation.

4. The mitigation measures set out in Section 6 of the Natura Impact Statement submitted with the application shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: To protect the environment.

5. All ecological avoidance measures shall be implemented in full and carried out in accordance with best ecological practice in consultation with statutory agencies (if 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. The measures shall have regard to an ecological survey carried out prior to the commencement of the development in order to update baseline information of other species.

A site-specific plan for the prevention of importing invasive alien species onto the site shall be prepared and implemented throughout the carrying out of the development.

A report on the implementation of ecological measures shall be submitted to the Planning Authority upon first operation of the development.

Reason: To adequately protect the biodiversity of the area.

6. Before development commences, the applicant shall enter into a legal agreement with the Planning Authority under section 47 of the Planning and Development Act 2000, as amended, specifying that the entire development, consisting of 12 glamping pods, shoreline pathways, playground, emergency access route, Tertiary Wastewater Treatment Plant and parking on the site that this permission refers to, shall be held in single ownership and shall not be subdivided, and the glamping pods shall be available for short term holiday letting only, for maximum duration of 4 weeks.

Reason: In the interests of proper planning and development of the area

7. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to the commencement of development. This scheme shall include the following:-

(a) details of all proposed hard surface finishes within the development;

(b) proposed locations of marine tolerant trees and other landscape planting in the development, including details of proposed screening to the private packaged wastewater treatment plant;

(c) details of proposed boundary treatments, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

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

8. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Uisce Éireann.

Reason: In the interest of public health.

9. (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 29th day of March 2023, 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 the decommissioning and

removal of the proposed packaged wastewater treatment plant within 3 months of connecting to a treated wastewater treatment network.

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

10. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall address ecological requirements with respect to otter and shall be provided prior to the making available for occupation of the maritime and cultural heritage centre.

Reason: In the interests of amenity, biodiversity and public safety.

11. Details of the materials, colours and textures of all the external finishes to the proposed development shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

12. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development the developer shall submit to the Planning Authority a detailed surface water design proposal that incorporates an element of Sustainable Urban Drainage System measures if feasible, such a report and/or drawings shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

13. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials 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.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) Measures to obviate queuing of construction traffic on the adjoining road network;
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) Provision of parking for existing properties in the vicinity during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) 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;

(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

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

Reason: In the interest of amenities, public health and safety.

15. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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 residential amenities of property in the vicinity.

16. 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 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

A handwritten signature in black ink, appearing to read 'Tom Rabbette', written over a horizontal line.

Date: 03/07/2024

Tom Rabbette