



Board Direction

Ref: 07.JP0040

At a meeting held on 6th January 2017, the Board considered:

- (a) the submissions made in relation to the proposed development,
- (b) the report of the Inspector, and
- (c) the documents and submissions on file generally.

The Board decided to approve the proposed development, generally in accordance with the recommendation of the Inspector, and for the reasons, considerations and conditions set out below.

REASONS AND CONSIDERATIONS

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

- (a) The nature and extent of the proposed works, including the redirection of the treated leachate away from the Ballinasloe Wastewater Treatment Plant and the consequential freeing up of treatment capacity within the said wastewater treatment plant,
- (b) the EU Habitats Directive (92/43/EEC),
- (c) the European Communities (Birds and Natural Habitats) Regulations 2011,
- (d) the EU Water Framework Directive 2000 (2000/60/EEC),
- (e) the European Communities Environmental Objectives (Surface Water Regulations) 2009 (S.I. 272 of 2009),
- (f) the Document entitled "Appropriate Assessment of Plans and Projects in Ireland: Guidelines for Planning Authorities" issued by the

Department of the Environment, Heritage and Local Government
2010,

- (g) the Galway County Development Plan 2015 – 2021,
- (h) the Shannon River Basin Management Plan,
- (i) Integrated Constructed Wetlands: Guidance Document for Farmyard Soiled Water and Domestic Wastewater Applications issued by the Department of the Environment, Heritage and Local Government in November, 2010,
- (j) 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 a European site,
- (k) the submissions and observations received in relation to the likely effects on the environment, and
- (l) the report and recommendation of the Inspector.

Appropriate Assessment:

The Board agreed with the screening assessment and conclusion carried out in the Inspector's report that the River Suck Callows Special Protection Area (site code: 004097), the River Shannon Callows Special Area of Conservation (site code: 00216) and the Middle Shannon Callows Special Protection Area (site code: 004096) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

The Board considered the Natura impact statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the above mentioned affected European Sites 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 appropriate assessment, the Board considered, in particular, the following:

- i) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii) the mitigation measures which are included as part of the current proposal, and
- iii) the conservation objectives for the European Sites.

In completing the appropriate assessment, the Board accepted and adopted the screening and the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Board was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' conservation objectives.

CONDITIONS

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

(b) No leachate from the proposed Integrated Constructed Wetlands shall be discharged to the Loughbrown Stream

Reason: In the interest of clarity and to protect the environment.

2. A suitably qualified person shall be appointed by the local authority to oversee the design and construction of the integrated constructed wetland. The person appointed shall monitor the excavation and storage of all material within the site. Upon completion of the works, a report of all site works shall be prepared by the appointed person and submitted to the local authority to be maintained on record and shall be made available for public inspection during normal office hours.

Reason: In the interest of orderly development and public access to environmental information.

3. A suitably qualified person shall be appointed by the local authority to oversee the planting of wetland vegetation within the ponds. The main

wetland species shall include *Carex riparia*, *Glyceria maxima* and *Typha latifolia* and any other such species which are deemed to be suitable for the treatment of the leachate. Any plants which die or are removed or become seriously damaged or diseased shall be replaced within the next planting season with others of similar size and species.

Reason: To ensure that adequate treatment of leachate occurs within the integrated constructed wetlands.

4. (a) The local authority shall prepare and fully implement a landscaping scheme which shall provide for the planting throughout the integrated constructed wetland site.
- (b) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the proposed development, shall be replaced within the next planting season with others of similar size and species.

Reason: In the interest of visual amenity.

5. All external lighting within the proposed development shall be sufficiently cowed so as to ensure that light spillage beyond the boundary of the site is minimised.

Reason: In the interest of amenity.

6. Where chemicals are to be stored on site, such chemicals shall be stored in a suitably bunded area.

Reason: In order to prevent pollution.

7. Instream and bankside works shall be carried out in low flow, dry weather conditions between May and September.

Reason: In order to prevent pollution.

8. Discharge sampling chambers to be provided as part of the scheme at the outfall pipe to the Suck River shall be readily accessible. Samples shall be recorded and logged on a monthly basis and shall be made available for public inspection at the offices of the local authority during normal office hours.

Reason: To allow for inspection and public access to information.

9. The local authority shall facilitate the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard the local authority shall comply with the following requirements:
- (a) Satisfactory arrangements shall be made for the supervision by a suitably qualified archaeologist of all excavation investigations and site development works associated with the integrated constructed wetlands.
 - (b) All groundworks on site shall be monitored by an archaeologist who shall advise on measures, as may be necessary, to ensure that any damage to remaining archaeological material is avoided or minimised.
 - (c) Satisfactory arrangements shall be made for the post excavation research and the recording, removal and storage of any archaeological remains which may be considered appropriate to remove. In this regard, a comprehensive report on the completed archaeological excavation shall be prepared within a period of six months.

Reason: In order to conserve the archaeological heritage of the area.

Note: In the absence of adequate data in relation to the key variables involved including streamflow and the level of groundwater contribution to leachate flows the Board agreed with the Inspector that effluent discharges to the Loughbrown Stream should not be permitted.

Pleas issue a copy of the Direction with the Order.

Board Member: _____ Date: 6th January 2017
G.J. Dennison