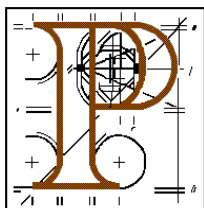


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway County

Planning Register Reference Number: 15/1601

An Bord Pleanála Reference Number: PL 07.246356

APPEAL by Michael Mór Breathnach of Tully, Ballynahown, County Galway against the decision made on the 25th day of February, 2016 by Galway County Council to grant subject to conditions a permission to Údarás Na Gaeltachta of Na Forbacha, County Galway in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Beidh an méid seo leanas san fhorbairt, coras coireala fuíolluisce nua gur feidir frestal ar ualach camrais comhionann leis an ualach ó dhaonra de 350 ina mbeidh scagairi ionraonta, cuig cinn d'umair faoi thalamh (umar cothromú, súmaire caidél ionraon, dhá umair eisiltigh coirithe agus umar sloda) agus tri cinn d'umair os cionn talún (dha umair imoibreoir baisceanna seicheamhaithe agus scagaire gaineamh den tríú grád in umar cruach dosmalta), foirgneamh rialuúcháin nua, gineadóir cúltaca agus oibreacha láithreáin gaolmhara ar láithreáin taobh le láithreáin an chórais cóireála fuíolluisce atá ann ag Eastát Tionscail na Tulai, Priomhphioban anios 2.65 kilometres ar fhad le haghaidh eisiltach cóirithe agus dúnphoill ghaolmhara o Eastat Tionscail na Tulai go Cé Bhaile na hAbhann (gross floor space 60 square metres), An Tulaigh and Indreabhán, Contae na Gaillimhe.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to-

- (a) the proposal to upgrade the wastewater treatment facilities serving this site, and to provide for future development expansion,
- (b) the detailed proposal for an outfall to the sea at Ballynahown Quay and accompanying hydrodynamic dispersion modelling to justify such a discharge,
- (c) the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009),
- (d) the Urban Waste Water Treatment Regulations 2001 (S.I. No. 254 of 2001),
- (e) the Bathing Waters Quality Regulations 2008 (S.I. No. 79 of 2008),
- (f) the Appropriate Assessment Screening Report submitted with the application, and in particular the proximity of the Connemara Bog Complex candidate Special Area of Conservation (Site Code 002034), and
- (g) the documentation submitted with the application and the appeal,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

The Board agreed with the screening assessment carried out in the Inspector's report and concluded that, given the nature and scale of the works proposed, implementation of best practice during construction works, operational design and maintenance of the effluent treatment plant/outfall, and distance by land and water from European sites, there is no likely vector, pathway or conduit for pollution for the proposed facility to impact on any European site – and in particular the Connemara Bog Complex Special Area of Conservation (Site Code 002034) and that the proposed development, either individually or in combination with other plans or projects would not be likely to have a significant effect on the European site.

CONDITIONS

1. The 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 condition. Where such condition 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. The wastewater treatment plant shall be designed, installed and operated in accordance with the Environmental Protection Agency publication "Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels" 1999, except as may otherwise be required by the planning authority.

Reason: In the interest of public health.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.